

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

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| ePLUS, INC., |) | |
| |) | |
| Plaintiff, |) | Civil Action No. 3:09-CV-620 (REP) |
| |) | |
| v. |) | |
| |) | |
| LAWSON SOFTWARE, INC., |) | |
| |) | |
| Defendant. |) | |

**PLAINTIFF EPLUS’S OBJECTIONS TO DEFENDANT’S DEPOSITION
DESIGNATIONS AND SUMMARY OF THE DEPOSITION OF KRISTY OLIVER AND
COUNTER-DESIGNATIONS**

Plaintiff *ePlus* Inc. (“*ePlus*”), through counsel, hereby submits the following objections to Defendant’s Deposition Designations and summary of the deposition of Kristy Oliver and offers the following counter-designations:

Specific Objections

| Defendant’s Designations | <i>ePlus</i>’s Objections | <i>ePlus</i>’s Objections to Defendant’s Deposition Summary |
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| 6:18-22 | | |
| 8:24-9:7 | | |
| 10:6-18 | | |
| 12:13-22 | | Incomplete summary. (Ms. Oliver testified that GHX maintains Blount’s EDI transactions via Lawson.) |
| 19:23-20:7 | | Mischaracterizes testimony. (Ms. Oliver testified that she was unaware whether Blount’s Lawson system could |

| Defendant's Designations | ePlus's Objections | ePlus's Objections to Defendant's Deposition Summary |
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| | | search for manufacturer name and item description at the same time.) |
| 22:25-23:2 | | |
| 23:23-24:6 | | Mischaracterizes testimony (Ms. Oliver testified that Lawson provided Blount with a template spreadsheet with the data fields required for the Lawson system, Blount entered item data into the spreadsheet and provided the spreadsheet to Lawson, and Lawson uploaded the item data into the Lawson system.) |
| 26:17-27:3 | | Incomplete summary. (Ms. Oliver testified that the test scripts provided by Lawson did not provide information on searching for vendors within the Item Master, but rather explained how to find a vendor when you were ordering something not in the Item Master.) |
| 29:12-19 | | |
| 34:6-8 | | Mischaracterizes testimony. (Ms. Oliver explained that the only people within Blount who have access to the standard Requisition module are the purchasing agents, who can access that module if needed.) |
| 52:10-24 | | |
| 55:14-56:7 | | Mischaracterizes testimony; incomplete summary. (Ms. Oliver testified that although |

| Defendant's Designations | ePlus's Objections | ePlus's Objections to Defendant's Deposition Summary |
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| | | Blount does not have any items set up with dual vendors, the capability is there.) |
| 78:7 – 79:6 | | Incomplete summary. (Ms. Oliver testified that Lawson's representative provided Blount with a guide for use in uploading items to the Item Master. The Lawson representative (Katrina Rice) explained what the required fields are because the Lawson programs IC11, IC12 and IC13 require the item data to be set up correctly.) |
| 79:20-80:10 | | Mischaracterizes testimony. (Ms. Oliver's testimony related to after the initial data load of item data into the Item Master, which was performed by the Lawson consultant.) |
| 83:3 – 84:4 | | Incomplete summary. (Ms. Oliver testified that Exhibit 13 related to the Lawson consultant's advice regarding training of Blount's 600 users and her provision of an example training scenario to Blount.) |
| 111:12-20 | | Mischaracterizes testimony. (Ms. Oliver testified that she didn't think the Blount system would be able to search for two vendors at a time.) |
| 112:9-17 | | Mischaracterizes testimony. (Ms. Oliver |

| Defendant's Designations | ePlus's Objections | ePlus's Objections to Defendant's Deposition Summary |
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| | | testified that Blount's system's search function doesn't work by looking for manufacturer code. The Blount Lawson system can find a vendor name if it is in the description. Or, the system can search by item number.) |
| 125:13-19 | | Mischaracterizes testimony. (Ms. Oliver testified that she was not aware of any way to search for manufacturer or vendor in the catalog search with respect to Blount's system.) |
| 127:14-19 | 403 | Mischaracterizes testimony. (Ms. Oliver testified that she could not tell from the information shown whether a specific catheter item could be used in place of another catheter item.) |
| 128:16-25 | 401/402, 403, 602 | |
| 129:20-130:4 | 401/402 | |
| 130:16 – 131:20 | 602 (131:3-7) | |
| 132:17-24 | | Incomplete summary. (Ms. Oliver testified that although there is no one table with all of the vendor information, you can build them.) |
| 133:16-134:9 | question calls for a legal conclusion (134:7-9); 403 (134:7-9) | |
| 134:13-135:18 | | |

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| ePlus's Counter-Designations |
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| 34:9-15 |
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Respectfully submitted,

/s/

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Attorneys for Plaintiff, ePlus Inc.

Dated: August 9, 2010

Summary of Rebuttal Designations for Kristy Oliver

At Blount Memorial Hospital, employees create requisitions using Requisitions Self Service. Purchasing agents have access to the standard Requisitions module. (34:9-15)

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| <p>1 IN THE UNITED STATES DISTRICT COURT</p> <p>2 FOR THE EASTERN DISTRICT OF VIRGINIA</p> <p>3 RICHMOND DIVISION</p> <p>4 EPLUS, INC.,)</p> <p>5)</p> <p>6 Plaintiff,)</p> <p>7) CIVIL ACTION FILE</p> <p>8 vs.)</p> <p>9) NO. 3:09-CV-620(JRS)</p> <p>10 LAWSON SOFTWARE INC.,)</p> <p>11)</p> <p>12 Defendant.)</p> <p>13</p> <p>14 "CONFIDENTIAL: MAY BE SUBJECT TO PROTECTIVE ORDER"</p> <p>15</p> <p>16 Videotaped deposition of</p> <p>17 KRISTY OLIVER, taken on behalf of the</p> <p>18 Plaintiff, pursuant to the stipulations agreed</p> <p>19 to herein, before Tanya L. Verhoven-Page,</p> <p>20 Certified Court Reporter and Notary Public, at</p> <p>21 907 E. Alexander Parkway, Maryville, Tennessee,</p> <p>22 on the 11th day of March, 2010, commencing</p> <p>23 at the hour of 9:31 a.m.</p> <p>24 Job No.: 24-175051</p> <p>25</p> | <p>1 INDEX</p> <p>2</p> <p>3 WITNESS: KRISTY OLIVER</p> <p>4</p> <p>5 Examination Page</p> <p>6</p> <p>7 BY MR. STRAPP 6</p> <p>8 BY MR. GRAHAM 126</p> <p>9 BY MR. STRAPP 135</p> <p>10</p> <p>11 EXHIBITS:</p> <p>12 Blount</p> <p>13 Exhibit Page</p> <p>14 Exhibit 1 8</p> <p>15 Exhibit 2 40</p> <p>16 Exhibit 3 52</p> <p>17 Exhibit 4 58</p> <p>18 Exhibit 5 61</p> <p>19 Exhibit 6 64</p> <p>20 Exhibit 7 66</p> <p>21 Exhibit 8 72</p> <p>22 Exhibit 9 73</p> <p>23 Exhibit 10 75</p> <p>24 Exhibit 11 78</p> <p>25 Exhibit 12 81</p> <p>26 Exhibit 13 83</p> |
| <p>1 APPEARANCES OF COUNSEL</p> <p>2</p> <p>3 On behalf of the Plaintiff:</p> <p>4 MICHAEL STRAPP, ESQUIRE</p> <p>5 Goodwin Procter</p> <p>6 Exchange Place</p> <p>7 Boston, Massachusetts 02109</p> <p>8 (617) 570-1000</p> <p>9</p> <p>10</p> <p>11 On behalf of the Defendant:</p> <p>12 JOSHUA P. GRAHAM, ESQUIRE</p> <p>13 Merchant & Gould</p> <p>14 3200 IDS Center</p> <p>15 80 South Eighth Street</p> <p>16 Minneapolis, Minnesota 55402-2215</p> <p>17 (612) 332-5300</p> <p>18</p> <p>19 On behalf of Blount Memorial Hospital, Incorporated:</p> <p>20 CARL P. MCDONALD, ESQUIRE</p> <p>21 Goddard & Gamble</p> <p>22 101 W. Broadway Avenue</p> <p>23 Suite 208</p> <p>24 Maryville, Tennessee 37801</p> <p>25 (865) 982-6731</p> <p>THE VIDEOGRAPHER: Jim Davis</p> | <p>1 EXHIBITS:</p> <p>2 Blount</p> <p>3 Exhibit Page</p> <p>4 Exhibit 14 87</p> <p>5 Exhibit 15 89</p> <p>6 Exhibit 16 91</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> |

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| <p>1 MARYVILLE, TENNESSEE; THURSDAY, MARCH 11, 2010</p> <p>2 9:31 A.M.</p> <p>3</p> <p>4 P R O C E E D I N G S</p> <p>5</p> <p>6 THE VIDEOGRAPHER: This is the</p> <p>7 beginning of videotape number one of the</p> <p>8 deposition of Kristy Oliver in the matter</p> <p>9 of EPlus, Incorporated versus Lawson</p> <p>10 Software in the U.S. District Court,</p> <p>11 Eastern District of Virginia; Case No.</p> <p>12 3:09-CV-620(JRS). The time on --</p> <p>13 indicated on the video monitor is 9:31.,</p> <p>14 Today's date is March the 11th,</p> <p>15 2010. My name is Jim Davis. I'm the</p> <p>16 videotape operator.</p> <p>17 Today's deposition is being held at</p> <p>18 907 East Lamar Alexander Parkway,</p> <p>19 Maryville, Tennessee.</p> <p>20 Counsel will now identify</p> <p>21 themselves.</p> <p>22 MR. STRAPP: Michael Strapp</p> <p>23 representing Plaintiff EPlus.</p> <p>24 MR. GRAHAM: Joshua Graham</p> <p>25 representing Defendant Lawson Software.</p> | <p>7</p> <p>1 Q Have you ever been deposed before?</p> <p>2 A No.</p> <p>3 Q Today I will be asking you questions, and</p> <p>4 you will be providing answers.</p> <p>5 Do you understand?</p> <p>6 A Yes.</p> <p>7 Q And do you understand that our court</p> <p>8 reporter will be taking down everything that we say</p> <p>9 today?</p> <p>10 A Yes.</p> <p>11 Q Therefore, you'll need to give audible</p> <p>12 answers when I ask a question, not just a nod of the</p> <p>13 head.</p> <p>14 A Okay.</p> <p>15 Q And if you answer my question, I'll</p> <p>16 assume that you understood it. Is that fair?</p> <p>17 A Yes.</p> <p>18 Q If you don't understand my question,</p> <p>19 please let me know, and I'll try to rephrase it or</p> <p>20 ask it in a different way.</p> <p>21 A Okay.</p> <p>22 Q And do you understand that the testimony</p> <p>23 that you're going to be giving today is under oath</p> <p>24 testimony just as if you were testifying in court?</p> <p>25 A Yes.</p> |
| <p>6</p> <p>1 MR. McDONALD: Carl McDonald</p> <p>2 present for Blount Memorial Hospital,</p> <p>3 Incorporated.</p> <p>4 THE VIDEOGRAPHER: The court</p> <p>5 reporter today is Tanya Verhoven-Page.</p> <p>6 The court reporter will now swear</p> <p>7 in the witness.</p> <p>8</p> <p>9 Thereupon --</p> <p>10 KRISTY OLIVER,</p> <p>11 called as a witness, having been first duly sworn,</p> <p>12 was examined and testified as follows:</p> <p>13</p> <p>14 EXAMINATION</p> <p>15 BY MR. STRAPP:</p> <p>16 Q Good morning.</p> <p>17 A Hi.</p> <p>18 Q Could you please state your name for the</p> <p>19 record.</p> <p>20 A Kristy Oliver.</p> <p>21 Q And who are you employed by?</p> <p>22 A Blount Memorial Hospital.</p> <p>23 Q What is your current work address?</p> <p>24 A 907 East Lamar Alexander Parkway,</p> <p>25 Maryville, Tennessee 37804.</p> | <p>8</p> <p>1 Q Are you represented by an attorney today?</p> <p>2 A Yes. Carl McDonald is our hospital</p> <p>3 attorney, and he's here with us.</p> <p>4 Q And did you do anything to prepare for</p> <p>5 the deposition today?</p> <p>6 A No. I mean, we met and went over the</p> <p>7 documents we sent to you.</p> <p>8 (Blount Deposition Exhibit No. 1 was marked for the</p> <p>9 record.)</p> <p>10 BY MR. STRAPP:</p> <p>11 Q Okay. The court reporter has handed you</p> <p>12 what has been marked as Blount Exhibit 1.</p> <p>13 Do you have that document in front of</p> <p>14 you?</p> <p>15 A Yes.</p> <p>16 Q Could you take a moment to review this</p> <p>17 document and let me know if you've seen this before?</p> <p>18 A Yes, I have.</p> <p>19 Q If you turn to the section of Exhibit 1</p> <p>20 that's entitled instructions and you turn to Page 10</p> <p>21 of that document that has the subheading Schedule A</p> <p>22 deposition topics --</p> <p>23 A Yes.</p> <p>24 Q -- could you take a moment, please, to</p> <p>25 review those 11-numbered topics on Pages 10 and 11,</p> |

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| <p>9</p> <p>1 and the question I'll have once you've reviewed them</p> <p>2 is whether you are prepared to testify today on</p> <p>3 behalf of Blount Memorial Hospital regarding each of</p> <p>4 these topics?</p> <p>5 A Yes, I am. The document does refer to</p> <p>6 Punchout, and we do not own or license or use</p> <p>7 Punchout.</p> <p>8 Q So except for Punchout, you're prepared</p> <p>9 today to testify on behalf of Blount as to all of the</p> <p>10 topics?</p> <p>11 A Yes, sir.</p> <p>12 Q And if turn to Pages 12 through 15 of the</p> <p>13 document, you'll notice that there are various</p> <p>14 documents that my client, EPlus, requested that</p> <p>15 Blount Memorial produce.</p> <p>16 Could you describe for me briefly what</p> <p>17 steps Blount Memorial took to gather and produce</p> <p>18 documents in response to the subpoena?</p> <p>19 A First step was we read through the</p> <p>20 requested documents and went back through our</p> <p>21 manuals, e-mails and any correspondence we had had</p> <p>22 with Lawson during the implementation and any time</p> <p>23 thereafter, and anything that was related to any of</p> <p>24 the requests for production steps listed in here, we</p> <p>25 printed and scanned to a disk and sent to you or</p> | <p>11</p> <p>1 Equipment is an offsite company. We do home</p> <p>2 deliveries of oxygen, CPAP setups, delivery -- we</p> <p>3 service our hospice patients as well and provide</p> <p>4 walkers, wheelchairs, anything like that.</p> <p>5 Q Do you use the Lawson Software in</p> <p>6 connection with your Home Medical Equipment?</p> <p>7 A Only the requisitioning. We have a</p> <p>8 purchasing and warehouse manager, and he sends his</p> <p>9 orders through the Lawson system just like any other</p> <p>10 requisitioner in the hospital would.</p> <p>11 Q Who do you report to?</p> <p>12 A The CIO, the Chief Information Officer,</p> <p>13 John Hanks.</p> <p>14 Q What software does Blount currently</p> <p>15 license from Lawson?</p> <p>16 A We use -- I don't -- I'm not sure I -- I</p> <p>17 mean, we -- our Human Resources Department, our</p> <p>18 Accounting and Finance Department and Materials</p> <p>19 Management use the suites of Lawson.</p> <p>20 Q Okay. And what suite does the Materials</p> <p>21 Management group use?</p> <p>22 A The procurement suite with the</p> <p>23 Requisitions Self-Service.</p> <p>24 Q Okay. What procurement modules are</p> <p>25 included within the supply chain management or</p> |
| <p>10</p> <p>1 scanned to CD. I apologize.</p> <p>2 Q Are you aware of any other documents that</p> <p>3 are responsive to these requests that are at Blount</p> <p>4 but were not produced to EPlus?</p> <p>5 A No.</p> <p>6 Q What is your current job title at Blount?</p> <p>7 A I'm Director of Materials Management and</p> <p>8 Home Medical Equipment.</p> <p>9 Q And Home Medical Equipment?</p> <p>10 A Yes.</p> <p>11 Q And how long have you had that title?</p> <p>12 A Five years. I've been over materials for</p> <p>13 five years and home medical equipment for two.</p> <p>14 Q What are the responsibilities of your</p> <p>15 job?</p> <p>16 A Being Director of Materials Management,</p> <p>17 I'm over purchasing, receiving, inventory control,</p> <p>18 print shop and OR materials coordinator as well.</p> <p>19 Q How many people at Blount report to you?</p> <p>20 A 35. That includes Home Medical Equipment</p> <p>21 as well.</p> <p>22 Q What's the difference in your -- what's</p> <p>23 the difference in the Home Medical Equipment position</p> <p>24 as opposed to the Materials Management Position?</p> <p>25 A It's extremely different. Home Medical</p> | <p>12</p> <p>1 procurement suite? For example, does that include</p> <p>2 inventory control?</p> <p>3 A Yes.</p> <p>4 Q Does that also -- does that also include</p> <p>5 the requisitions module?</p> <p>6 A Yes.</p> <p>7 Q Does it include purchase order module?</p> <p>8 A Yes.</p> <p>9 Q And you mentioned it also includes</p> <p>10 Requisitions Self-Service?</p> <p>11 A Yes. And we also use Contract Management</p> <p>12 as well.</p> <p>13 Q Does Blount license the EDI module?</p> <p>14 A Our EDI transactions -- we have a</p> <p>15 contract with GHX, Global Healthcare Exchange, and</p> <p>16 they maintain our EDI transactions via Lawson.</p> <p>17 Q Do you license any software from Lawson</p> <p>18 that is related to the EDI transactions?</p> <p>19 A No.</p> <p>20 Q Does Blount license Procurement Punchout</p> <p>21 from Lawson?</p> <p>22 A No.</p> <p>23 Q No? When -- when was the first time when</p> <p>24 Blount licensed -- licensed the Lawson Software?</p> <p>25 A We began implementing the system in June</p> |

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| <p>1 of 2008, and we went live with the production module</p> <p>2 January 1st, 2009.</p> <p>3 Q And prior to January 1st, 2009, what</p> <p>4 software, if any, was Blount using for materials</p> <p>5 management?</p> <p>6 A Infinium.</p> <p>7 Q And what's the company that supplies the</p> <p>8 Infinium Software?</p> <p>9 A It's called Infinium.</p> <p>10 Q Why was the decision made to switch from</p> <p>11 Infinium to Lawson Software for materials management?</p> <p>12 A Infinium -- we -- it did not provide us</p> <p>13 with a way to maintain an Item Master List.</p> <p>14 It also -- we had double entry -- our</p> <p>15 purchasing agents had to key in requisitions as they</p> <p>16 came down. There was no interface that took us</p> <p>17 from -- we went paperless, and they had to key in</p> <p>18 those requisitions direct into Infinium, and Lawson</p> <p>19 gave us the capability for requisitioners to be able</p> <p>20 to put their order in and then the purchase order be</p> <p>21 generated automatically based on that requisition,</p> <p>22 and it reduced the keying time for our purchasing</p> <p>23 agents, and it allowed us to use a contract</p> <p>24 management system.</p> <p>25 Those are probably our top three reasons</p> | <p>15</p> <p>1 we would have in the software and then our IT</p> <p>2 department compiled the RFP.</p> <p>3 Q Were you involved in generating a list of</p> <p>4 the functionality that you would need?</p> <p>5 A Yes.</p> <p>6 Q And what specific functionality were you</p> <p>7 interested in having in software that you would use</p> <p>8 for procurement?</p> <p>9 A We wanted to be paperless. We wanted</p> <p>10 inventory control to auto generate the orders based</p> <p>11 on what had been issued and received in the -- in our</p> <p>12 inventory. We wanted an Item Master List to help</p> <p>13 control costs, and we wanted a contract management</p> <p>14 system to help us manage our contracts.</p> <p>15 Q When you say an Item Master List, what</p> <p>16 are you referring to?</p> <p>17 A Items that -- that people order</p> <p>18 frequently on a frequent basis for them to be able to</p> <p>19 go in. They don't have to remember the vendor, the</p> <p>20 unit of measure that we need to order the item by.</p> <p>21 All that information is stored for them in Lawson,</p> <p>22 and they can go in there and search by several</p> <p>23 different things through the search catalog-in</p> <p>24 Requisitions Self-Service and add those items to a</p> <p>25 shopping cart and checkout and then that rolls down</p> |
| <p>14</p> <p>1 to switch on the procurement side.</p> <p>2 Q Did Lawson generate a Request for</p> <p>3 Proposal when it was considering switching from the</p> <p>4 Infinium system?</p> <p>5 A Yes.</p> <p>6 Q And what companies was the Request for</p> <p>7 Proposal issued to?</p> <p>8 A McKesson, Cerner PeopleSoft and Lawson.</p> <p>9 Q Cerner PeopleSoft is one company?</p> <p>10 A Yes. To the best of my knowledge, that's</p> <p>11 what I've always heard it called.</p> <p>12 PeopleSoft is actually the software. I</p> <p>13 think Cerner is the holding company, but --</p> <p>14 Q And did each of those companies -- each</p> <p>15 of those three companies respond to the Request for</p> <p>16 Proposal?</p> <p>17 A Yes.</p> <p>18 Q Do you recall when the Request for</p> <p>19 Proposal was first issued to those companies?</p> <p>20 A No, I do not.</p> <p>21 Q Do you know if it was in 2007?</p> <p>22 A No, I don't know.</p> <p>23 Q Were you responsible for compiling the</p> <p>24 Request for Proposal?</p> <p>25 A There was a team that put in what needs</p> | <p>16</p> <p>1 to the purchasing folks, and they generate the</p> <p>2 purchase orders and send out the orders.</p> <p>3 Q Now you're talking about the Item Master</p> <p>4 List that's currently -- you're referring to the Item</p> <p>5 Master List that's currently in the Lawson Software?</p> <p>6 A Yes.</p> <p>7 Q That's used by Blount today?</p> <p>8 A Yes.</p> <p>9 Q And does that Item Master List include</p> <p>10 both items that are in inventory as well as non-stock</p> <p>11 items?</p> <p>12 A Yes.</p> <p>13 Q And how do you -- how do you understand</p> <p>14 the difference between inventory and non-stock?</p> <p>15 A When we go into the search catalog, each</p> <p>16 item has a green checkmark. If it's just got a green</p> <p>17 checkmark, that is a non-stock item. If it has a</p> <p>18 green checkmark and a plus sign, that's an item that</p> <p>19 we keep in stock.</p> <p>20 Q And with respect to the inventory items,</p> <p>21 do you have the ability through the Lawson Software</p> <p>22 you use to determine whether or not -- to determine</p> <p>23 the amount of a particular item in inventory?</p> <p>24 A Yes.</p> <p>25 Q What about -- does the Lawson Software</p> |

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| <p>17</p> <p>1 provide the capability of checking on the -- a volume</p> <p>2 of an item that's not in stock?</p> <p>3 A No.</p> <p>4 Q Do you know approximately how many items</p> <p>5 are currently in the Item Master?</p> <p>6 A I think about 8,000.</p> <p>7 Q And do you know approximately how many</p> <p>8 vendors are in the Item Master?</p> <p>9 A I do not.</p> <p>10 Q Can you give me some examples of the</p> <p>11 largest vendors that Blount uses that are in the Item</p> <p>12 Master?</p> <p>13 A Seneca that is our med search -- our main</p> <p>14 med search distributor that we -- we get the majority</p> <p>15 of our medical supplies through. Cardinal is a large</p> <p>16 vendor that's also in Lawson. The divisions of</p> <p>17 Johnson & Johnson, which would be Ethicon, Cordis.</p> <p>18 Q What type of information about each item</p> <p>19 is contained in the Item Master?</p> <p>20 A You have -- the ANSI format unit of</p> <p>21 measure is in there, a description of the item, the</p> <p>22 manufacturer item number if there's a separate vendor</p> <p>23 item number, the manufacturer description, and</p> <p>24 there's a -- we assign a purchasing class and an</p> <p>25 inventory class if that's applicable as well. That's</p> | <p>19</p> <p>1 Q When you say that it was more user</p> <p>2 friendly, do you mean the interface between the user</p> <p>3 and the system?</p> <p>4 A Yes. I liked the fact that the -- when</p> <p>5 you're in Requisitions Self-Service, it mirrors</p> <p>6 almost like an Internet-based shopping cart, and</p> <p>7 that -- a lot of people are used to that.</p> <p>8 Q Now, does the system as it's configured</p> <p>9 at Blount, the Lawson Requisitions Self-Service</p> <p>10 system, include a functionality that allows a user at</p> <p>11 Blount to generate one or more purchase orders from a</p> <p>12 single requisition?</p> <p>13 A Yes.</p> <p>14 Q Does it also include a functionality that</p> <p>15 allows a user to select and search for particular</p> <p>16 items based on the item description within --</p> <p>17 A Yes. If they go into the search catalog,</p> <p>18 there's -- you can do an express search, which is</p> <p>19 just by the item number only. You have to go to the</p> <p>20 search catalog to be able to search based on either</p> <p>21 manufacturer item, description or anything like that.</p> <p>22 That is more of an advanced search.</p> <p>23 Q And within the advanced search</p> <p>24 functionality, is there the capability for a user at</p> <p>25 Blount to search both by manufacturer name and an</p> |
| <p>18</p> <p>1 stored in there, and the cost of the item, and how</p> <p>2 many is in each unit of measure; for example, six in</p> <p>3 a box or ten boxes in a case.</p> <p>4 Q Do any of the items have images</p> <p>5 associated with them?</p> <p>6 A Not at this time.</p> <p>7 Q Do you intend to eventually include</p> <p>8 images in the Item Master?</p> <p>9 A Hopefully, yes.</p> <p>10 Q So when you issued the Request for</p> <p>11 Proposal to McKesson, PeopleSoft and Blount, can you</p> <p>12 describe for me why it is that you chose Lawson</p> <p>13 instead of McKesson or PeopleSoft?</p> <p>14 A It met -- when we looked at the system,</p> <p>15 it was for all three suites. So we were looking for</p> <p>16 a system that would across-the-board fit the needs of</p> <p>17 human resources, payroll and accounting and finance</p> <p>18 as well as procurement, and Lawson fit that for our</p> <p>19 organization better than the other two candidates.</p> <p>20 Q Okay. And with respect to procurement</p> <p>21 specifically, were there any advantages of the Lawson</p> <p>22 Software over McKesson and PeopleSoft?</p> <p>23 A I thought it was more user friendly, and</p> <p>24 I liked the features that the contract management</p> <p>25 piece had as well.</p> | <p>20</p> <p>1 item description?</p> <p>2 A No. It would have to be one or the</p> <p>3 other. Not at the same time.</p> <p>4 Q Does it have, like, a bouillon capability</p> <p>5 of putting in a manufacturer name and then a space</p> <p>6 and then an item description so that it searches --</p> <p>7 A Not that I'm aware of.</p> <p>8 Q Does -- what's the difference in your</p> <p>9 understanding of the advanced search features versus</p> <p>10 the ordinary search features within Requisitions</p> <p>11 Self-Service?</p> <p>12 A There's really only two that -- that they</p> <p>13 would use to search in the catalog, and one would be,</p> <p>14 if they knew our item number, they could go direct to</p> <p>15 express search and just key in the item number, and</p> <p>16 then if they go to the regular search catalog, they</p> <p>17 can key in either our purchasing class, inventory</p> <p>18 class, partial description of the item or a</p> <p>19 manufacturer or a vendor number as well.</p> <p>20 Q Can you describe for me the steps that a</p> <p>21 user at Blount would take to generate a purchase</p> <p>22 order from a requisition.</p> <p>23 A Yes. They would go in -- log-in to</p> <p>24 Lawson, select Requisitions Self-Service, go to</p> <p>25 shopping. If they are wanting to pull something</p> |

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| <p>21</p> <p>1 that's loaded in our Item Master List, they would go</p> <p>2 to the search catalog; for example, if they were</p> <p>3 looking for a catheter, they could put in c-a-t-h for</p> <p>4 cath, and it would pull up all the catheters in our</p> <p>5 item. They would select the quantity. Once they</p> <p>6 found the particular item they were looking for, they</p> <p>7 would put in the quantity that they want, click on</p> <p>8 the add button, and that would move it to their</p> <p>9 shopping cart.</p> <p>10 Once they had selected all the items that</p> <p>11 they wanted at that time, they would then hit the</p> <p>12 checkout button. Depending on their approval level</p> <p>13 that's set up in the system, it would either go to</p> <p>14 their supervisor for approval, or it would come</p> <p>15 straight down to the purchasing department, and</p> <p>16 our -- our system is set up to automatically generate</p> <p>17 the requisitions into purchase orders at 9:00, 11:00,,</p> <p>18 1:00 and 3:00 during the day, and our purchasing</p> <p>19 agents are assigned by departments, and it comes out</p> <p>20 with their initials on the purchase orders.</p> <p>21 They grab the ones that have their</p> <p>22 initials on it. They review the order for accuracy,</p> <p>23 and then they would go in and release the purchase</p> <p>24 order, and if that order was to go out EDI, they</p> <p>25 would stop at that point because we have that set up</p> | <p>23</p> <p>1 familiar with the term UNSPSC?</p> <p>2 A No.</p> <p>3 Q Is there the capability for a user at</p> <p>4 Blount to search by category?</p> <p>5 A Our purchasing classes and inventory</p> <p>6 classes -- how we have it categorized per my -- the</p> <p>7 example I gave with catheters, every catheter that we</p> <p>8 have in the Item Master List has a purchasing class</p> <p>9 of c-a-t-h for cath, and they can search based on</p> <p>10 that. Gloves are in there as gloves. Laboratory</p> <p>11 item are in there as lab. Urology items are in there</p> <p>12 as u-r-o.</p> <p>13 Q Okay. So you can search by category in</p> <p>14 the sense that if you type U --</p> <p>15 A Our own purchasing classes that we set up</p> <p>16 they are unique to us.</p> <p>17 Q You created your own custom made</p> <p>18 categories --</p> <p>19 A Yes.</p> <p>20 Q -- that would allow a user to search by</p> <p>21 category?</p> <p>22 A Yes.</p> <p>23 Q And what kind of assistance did Lawson</p> <p>24 provide to Blount in creating the Item Master and all</p> <p>25 the information in it?</p> |
| <p>22</p> <p>1 as an auto job that runs at 9:30, 11:30, 1:30 and</p> <p>2 3:30. Those jobs auto go out via EDI.</p> <p>3 If it's a vendor that we don't have set</p> <p>4 up with EDI connections, they would take the purchase</p> <p>5 order, release it, issue final, and they would either</p> <p>6 FAX it or call it in depending on the requirements of</p> <p>7 that vendor.</p> <p>8 Q Once the purchase order goes out to the</p> <p>9 vendor, does the vendor send back to Blount a</p> <p>10 purchase order acknowledgment?</p> <p>11 A Not -- it depends on the vendor, but that</p> <p>12 does not always happen. The ones that go out via EDI</p> <p>13 transactions through GHX our purchasing agents</p> <p>14 monitor those via a web page called My GHX Page.</p> <p>15 So they get acknowledgments from their</p> <p>16 EDI, and then some do and some don't depending on the</p> <p>17 company if you FAX to them.</p> <p>18 Q How are item numbers assigned to items in</p> <p>19 the Item Master?</p> <p>20 A It's auto generated in the system.</p> <p>21 Q And are item numbers -- so item numbers</p> <p>22 don't have any association with a particular</p> <p>23 manufacturer or vendor names?</p> <p>24 A Not our Item Master List numbers, no.</p> <p>25 Q Okay. Does -- are there -- are you</p> | <p>24</p> <p>1 A They simply provided us a template</p> <p>2 spreadsheet with the fields that Lawson would</p> <p>3 require, and then we manually built all our items</p> <p>4 during the implementation phase and then provided the</p> <p>5 spreadsheet to Lawson, and they uploaded it or</p> <p>6 downloaded.</p> <p>7 Q When you say that they -- they uploaded</p> <p>8 it, you mean Lawson uploaded it?</p> <p>9 A Yes. We had a consultant on-site during</p> <p>10 the implementation phase during particular times</p> <p>11 during implementation, and we would provide her with</p> <p>12 the information she needed, and we would send her the</p> <p>13 spreadsheet, and then she would put it in the system.</p> <p>14 Q Was that -- that was a consultant who was</p> <p>15 working here at Blount?</p> <p>16 A Yes, and she was an employee of Lawson.</p> <p>17 Q What was her name?</p> <p>18 A Katrina Rice.</p> <p>19 Q And how long was Ms. Rice on-site here at</p> <p>20 Blount?</p> <p>21 A Off and on for a seven-month period. She</p> <p>22 would come and be here for, you know, two weeks, and</p> <p>23 then be gone for two weeks while we would work on the</p> <p>24 categories that she was needing us to finish, and</p> <p>25 then she would come back.</p> |

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| <p>25</p> <p>1 So it was sporadic over a seven-month</p> <p>2 period.</p> <p>3 Q Was that in the second half of 2008?</p> <p>4 A Yes. That would have been from July 2008</p> <p>5 through January 2009.</p> <p>6 Q And can you describe for me at a high</p> <p>7 level the types of activities or assistance that</p> <p>8 Ms. Rice was providing while she was here at Blount?</p> <p>9 A Mostly providing the templates, and if we</p> <p>10 had questions as to what the field they were</p> <p>11 needing -- you know, for example, if we didn't</p> <p>12 understand what the manufacturer number was, she</p> <p>13 would explain to us the type of data that she was</p> <p>14 needing in the spreadsheet to make the Item Master</p> <p>15 List accurate.</p> <p>16 She helped in testing and training as</p> <p>17 well.</p> <p>18 Q What kind of assistance did she provide</p> <p>19 with testing?</p> <p>20 A They provided us generic test scripts</p> <p>21 to -- so that we could get the test system set up and</p> <p>22 train as well.</p> <p>23 Q Did Lawson provide Blount with scripts on</p> <p>24 how to use Requisitions Self-Service?</p> <p>25 A Yes.</p> | <p>27</p> <p>1 you were ordering that as a special item -- the test</p> <p>2 scripts explained how to find a vendor when you were</p> <p>3 ordering something not in the Item Master List.</p> <p>4 Q You did mention earlier that -- you</p> <p>5 testified earlier that Ms. Rice actually loaded in</p> <p>6 items into the Item Master; is that correct?</p> <p>7 A Yes, sir. Sorry. I nodded.</p> <p>8 Q Thank you.</p> <p>9 Now, can you describe for me exactly what</p> <p>10 types of items she loaded into the Item Master? Was</p> <p>11 it all the information that was in the Item Master?</p> <p>12 A Yes. Yes, all of our inventory and</p> <p>13 non-inventory items that we provided to her via the</p> <p>14 spreadsheet.</p> <p>15 Q All of that information was loaded by</p> <p>16 Ms. Rice into the Item Master that Blount uses?</p> <p>17 A We have -- since gone live, we have added</p> <p>18 items ourselves, but during the implementation phase</p> <p>19 the original Item Master List was set up, she did --</p> <p>20 she loaded those items, and since then, we load our</p> <p>21 own.</p> <p>22 Q So you went live, was it, January 1st,</p> <p>23 2009?</p> <p>24 A Yes.</p> <p>25 Q So the day that the Item Master and</p> |
| <p>26</p> <p>1 Q And did Lawson provide Blount with</p> <p>2 scripts on how to create a requisition for a</p> <p>3 particular item within Requisitions Self-Service?</p> <p>4 A Not a particular item, but how you would</p> <p>5 do it, and then we would pick one of the items we had</p> <p>6 set up, but they did not specify an item in their</p> <p>7 test script. It could be whatever item we chose to</p> <p>8 pick.</p> <p>9 Q Did the test scripts provided by Lawson</p> <p>10 include information on how to search within</p> <p>11 Requisitions Self-Service?</p> <p>12 A Yes.</p> <p>13 Q Did the test scripts provided by Lawson</p> <p>14 to Blount include information on how to generate</p> <p>15 purchase orders?</p> <p>16 A Yes.</p> <p>17 Q Did the test scripts provided by Lawson</p> <p>18 include information on searching for vendors within</p> <p>19 the Item Master?</p> <p>20 A Not -- not -- not searching for vendors</p> <p>21 within the Item Master, no, but searching for</p> <p>22 vendors -- if you were at the Requisitions</p> <p>23 Self-Service, you were doing a special item and you</p> <p>24 needed to find a vendor that you were wanting to</p> <p>25 order an item that wasn't in the Item Master List --</p> | <p>28</p> <p>1 Requisitions Self-Service went live at Blount that</p> <p>2 Item Master and all the information in it had been</p> <p>3 loaded by Ms. Rice for Blount?</p> <p>4 A Yes.</p> <p>5 Q I think you had mentioned earlier that</p> <p>6 Blount maintains its own inventory of items in stock</p> <p>7 for requisitioning; is that correct?</p> <p>8 A Yes.</p> <p>9 Q Is there some sort of warehouse on-site</p> <p>10 where those items are maintained?</p> <p>11 A Yes.</p> <p>12 Q And is there -- is the individual who is</p> <p>13 responsible for maintaining the items in inventory</p> <p>14 someone who reports to you?</p> <p>15 A Yes.</p> <p>16 Q Does that individual order those items</p> <p>17 for the inventory that's stored on-site at the</p> <p>18 warehouse through the Requisitions Self-Service</p> <p>19 program?</p> <p>20 A No. It's a different individual.</p> <p>21 Q Okay. Can you describe for me how Blount</p> <p>22 maintains that inventory in the warehouse here?</p> <p>23 A Yes. We have par level set up for all of</p> <p>24 our items in inventory, and when the system</p> <p>25 recognizes that we are near our par level, it auto</p> |

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| <p>29</p> <p>1 generates an order to bring us back up to our -- we</p> <p>2 have a minimum and a maximum level set up in addition</p> <p>3 to the par levels, and the system generates the order</p> <p>4 to bring us back up to our par for the item.</p> <p>5 Q Does a user on the Requisitions</p> <p>6 Self-Service system at Blount have the option to</p> <p>7 purchase from an off-site vendor items that are in</p> <p>8 inventory here at Blount, or do they have to order it</p> <p>9 through inventory if it's in inventory?</p> <p>10 A If it's in inventory, it has to be</p> <p>11 ordered through inventory.</p> <p>12 Q Okay. Now, who makes the decisions about</p> <p>13 what non-stock items to include in the Item Master?</p> <p>14 A I do, in addition to our contract and</p> <p>15 license purchasing manager based on the frequency of</p> <p>16 ordering.</p> <p>17 If we see an item is being ordered</p> <p>18 frequently, we try to get that item added into our</p> <p>19 Item Master List.</p> <p>20 Q And how do you make the decision -- how</p> <p>21 do you make a decision about whether to include an</p> <p>22 item in inventory or to just maintain it on the Item</p> <p>23 Master as a non-stock item?</p> <p>24 A Our definition of an item that should be</p> <p>25 added to inventory just for us here at Blount is if</p> | <p>31</p> <p>1 A Yes.</p> <p>2 Q Are the items within a particular</p> <p>3 category generally equivalent to each other?</p> <p>4 A Yes.</p> <p>5 MR. GRAHAM: Objection. Calls for</p> <p>6 a legal conclusion.</p> <p>7 BY MR. STRAPP:</p> <p>8 Q And if you do -- can you do a search by</p> <p>9 category within Requisitions Self-Service?</p> <p>10 A Yes.</p> <p>11 Q And if you do a search by category; for</p> <p>12 example, for catheter, that will bring up generally</p> <p>13 equivalent catheters as a result of the search?</p> <p>14 MR. GRAHAM: Objection. Calls for</p> <p>15 a legal conclusion.</p> <p>16 BY MR. STRAPP:</p> <p>17 Q You can answer.</p> <p>18 A Yes.</p> <p>19 Q And once you do a search like that within</p> <p>20 Requisitions Self-Service and you have a list of</p> <p>21 items that are responsive to the search, you can go</p> <p>22 ahead and select one of those items and create a</p> <p>23 requisition for that item?</p> <p>24 A Yes.</p> <p>25 Q And then if you approve that requisition,</p> |
| <p>30</p> <p>1 it's used by multiple departments and it's ordered on</p> <p>2 a frequent basis, then we -- and it doesn't even have</p> <p>3 to be ordered by multiple departments. If the</p> <p>4 department can justify keeping it in inventory due to</p> <p>5 frequency of use, we do that, provide it for them if</p> <p>6 space allows depending on the product.</p> <p>7 Q Let me go back to something we talked</p> <p>8 about earlier. You mentioned that there are</p> <p>9 categories such as urology or catheter that are</p> <p>10 created by Blount.</p> <p>11 How is that information input into the</p> <p>12 Item Master such that -- you know, is it a particular</p> <p>13 item -- each particular item is associated with a</p> <p>14 particular category?</p> <p>15 A Yes. Every item has -- we associate it</p> <p>16 with a category, and there's a field on -- in the</p> <p>17 Item Master List where we actually key in the</p> <p>18 purchasing class and inventory class that the item is</p> <p>19 associated with, and that is to the judgment of</p> <p>20 either the department head or myself as to what</p> <p>21 category it's put in.</p> <p>22 Q And was that information already -- was</p> <p>23 each item in the version of the Item Master -- was</p> <p>24 the first version that went live on January 1, '09</p> <p>25 associated with a particular category?</p> | <p>32</p> <p>1 it generates a purchase order automatically?</p> <p>2 A Yes. It may require going to the proper</p> <p>3 supervisor or department head for approval based on</p> <p>4 the requisitioner's approval level that's set up in</p> <p>5 the system.</p> <p>6 Q And then if you went ahead and went back</p> <p>7 to the search result in the example we're talking</p> <p>8 where you had searched for the category of catheters</p> <p>9 and you added a -- before you checked out, you had</p> <p>10 one item already in your shopping cart, one catheter,</p> <p>11 and then you went back and searched -- or you went</p> <p>12 back to your search and added a second catheter to</p> <p>13 the shopping cart, you could then create one</p> <p>14 requisition that had the two sort of equivalent</p> <p>15 catheters, correct?</p> <p>16 A Yes.</p> <p>17 Q And then you could generate one or more</p> <p>18 purchase orders from that single requisition,</p> <p>19 correct?</p> <p>20 A Yes.</p> <p>21 Q How would a user at Blount determine</p> <p>22 whether a catheter that showed up after you did the</p> <p>23 search was available in inventory?</p> <p>24 A During our training, we taught the users</p> <p>25 that, if it had just a green checkmark, that was --</p> |

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| <p>33</p> <p>1 that meant that it was a non-stock item, and if it</p> <p>2 had a checkmark and a plus sign, that's an item that</p> <p>3 we kept in stock, and that is noted on the search</p> <p>4 catalog. When they -- when they go in and search the</p> <p>5 item, there's a little bar that explains checkmark</p> <p>6 equals non-stock item, and checkmark plus sign equals</p> <p>7 stock item.</p> <p>8 Q Now, if a user runs the search by</p> <p>9 category for catheter and a result of the search is</p> <p>10 an item -- a catheter item that has the little</p> <p>11 checkmark and a plus sign next to it, that means that</p> <p>12 it's available in inventory?</p> <p>13 A Yes. If stock is on hand.</p> <p>14 Q And how does one determine whether -- how</p> <p>15 does a user determine whether or not stock is on</p> <p>16 hand?</p> <p>17 A It's -- the on hand availability is</p> <p>18 listed next to that item for inventory items.</p> <p>19 Q Now, on the other hand, if it's a</p> <p>20 catheter that just has the checkmark without the plus</p> <p>21 sign, right, meaning that it's a non-stock item --</p> <p>22 A Yes.</p> <p>23 Q -- how would a user determine whether or</p> <p>24 not there are going to be any catheters available if</p> <p>25 he -- he or she selects that non-stock catheter?</p> | <p>35</p> <p>1 Punchout, that limits the availability of what's in</p> <p>2 the Item Master or that limits the availability of</p> <p>3 what -- of an employee at Blount could purchase</p> <p>4 through Requisitions Self-Service?</p> <p>5 A Yes. It's what they -- they can go in</p> <p>6 and enter a special item, which is what we call an</p> <p>7 item that's not listed in the Item Master List, but</p> <p>8 they have to have the knowledge of that item there in</p> <p>9 hand to be able to put that information in if they</p> <p>10 choose to order something that's not loaded in our</p> <p>11 Item Master List.</p> <p>12 Q Does the Item Master that Blount</p> <p>13 maintains include generally equivalent items like,</p> <p>14 for example, similar catheters that are available</p> <p>15 from different vendors?</p> <p>16 MR. GRAHAM: Objection. Calls for</p> <p>17 a legal conclusion.</p> <p>18 THE WITNESS: Yes.</p> <p>19 BY MR. STRAPP:</p> <p>20 Q So let's go back to the Request for</p> <p>21 Proposal for a minute.</p> <p>22 You said that it was issued to three</p> <p>23 different companies, correct?</p> <p>24 A Yes.</p> <p>25 Q And all three companies responded to the</p> |
| <p>34</p> <p>1 A They do not know that until the</p> <p>2 purchase -- the purchasing agent that processes that</p> <p>3 purchase order, if there is a backorder situation,</p> <p>4 they will notify the requisitioner, but that's not</p> <p>5 known until after the order is placed.</p> <p>6 Q Can users at Blount create requisitions</p> <p>7 through the requisitions module?</p> <p>8 A No.</p> <p>9 Q So the only way that a user at Blount can</p> <p>10 create a requisition is through the Requisitions</p> <p>11 Self-Service module?</p> <p>12 A Yes. The only people that have access to</p> <p>13 the standard Requisition module is the purchasing</p> <p>14 agent, but we never use it, but we do have access to</p> <p>15 it if needed.</p> <p>16 Q Can you describe for me if you're aware</p> <p>17 why Blount decided not to license the Procurement</p> <p>18 Punchout from Lawson?</p> <p>19 A Well, as Director of Materials Management</p> <p>20 wanting to contain costs, I really don't want nurses</p> <p>21 and other staff to be able to go out to access</p> <p>22 vendor's catalogs to order whatever they want.</p> <p>23 We would like to try to control the</p> <p>24 products and the costs.</p> <p>25 Q And by not licensing Procurement</p> | <p>36</p> <p>1 Request for Proposal?</p> <p>2 A Yes.</p> <p>3 Q Did they all respond with written</p> <p>4 responses?</p> <p>5 A Yes.</p> <p>6 Q And who evaluated the response to the</p> <p>7 Request for Proposal that was provided by Lawson?</p> <p>8 A We had an Enterprise Resource Planning</p> <p>9 Team that was made up of employees from Materials</p> <p>10 Management, HR and Payroll and Accounting and Finance</p> <p>11 that reviewed those, and then we viewed demos of each</p> <p>12 system.</p> <p>13 Q Were you part of the Enterprise Resource</p> <p>14 Planning Team?</p> <p>15 A Yes.</p> <p>16 Q And who else was part of that team on the</p> <p>17 Materials Management side?</p> <p>18 A Myself, my Assistant Director, Alan</p> <p>19 Archer, and my Purchasing Manager, Rob Storey.</p> <p>20 Q And you mentioned that you viewed demos</p> <p>21 of the system?</p> <p>22 A Yes.</p> <p>23 Q In what form was that demo provided to</p> <p>24 you from Lawson?</p> <p>25 A They came on-site and showed us the demo</p> |

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| <p>37</p> <p>1 of the system. I assume they were logged in via the</p> <p>2 Internet to show us test demo systems.</p> <p>3 Q After you informed Lawson that you were</p> <p>4 interested in purchasing their software, what was the</p> <p>5 next step in the process of actually signing a final</p> <p>6 contract?</p> <p>7 A Contract negotiation for pricing, legal</p> <p>8 review of the verbiage in the contract, and then</p> <p>9 establishing a timeline for the implementation and</p> <p>10 determining the Lawson consultants that would be</p> <p>11 coming on-site.</p> <p>12 Q Was there a statement of work that was</p> <p>13 created by Lawson?</p> <p>14 A I'm not sure. I have no idea.</p> <p>15 Q Do you recall when that final contract</p> <p>16 was signed?</p> <p>17 A No, I do not know that.</p> <p>18 Q Who was the primary contact at Blount for</p> <p>19 Ms. Rice from Lawson when she came here on-site to</p> <p>20 help and assist with the implementation of the</p> <p>21 software?</p> <p>22 A I'm sorry. Ask the question again.</p> <p>23 Q Who was Ms. Rice's primary contact here</p> <p>24 at Blount? Who was she working with at Blount?</p> <p>25 A Me.</p> | <p>39</p> <p>1 Lawson consultants?</p> <p>2 A No.</p> <p>3 Q And that --</p> <p>4 A Not currently.</p> <p>5 Q Did that end after Ms. Rice left?</p> <p>6 A Yes. The -- our human resources suite</p> <p>7 have had -- they have changed a couple of benefits</p> <p>8 plans and have had a consultant on-site, I think, a</p> <p>9 time or two since we went live due to a change in a</p> <p>10 benefit package that required a custom calc.</p> <p>11 Q Have you upgraded any of the software on</p> <p>12 the procurement side that Lawson provided to you that</p> <p>13 went live in January 1, '09, or is it all the same</p> <p>14 version?</p> <p>15 A It's all the same version. Some patches</p> <p>16 to fix bugs have been loaded since then. I'm not</p> <p>17 sure which ones, but I know there have been some</p> <p>18 patches loaded.</p> <p>19 MR. STRAPP: Go off the record for</p> <p>20 a second, please.</p> <p>21 THE VIDEOGRAPHER: We're going off</p> <p>22 the record.</p> <p>23 The time is 10:14.,</p> <p>24 (Brief pause.)</p> <p>25 THE VIDEOGRAPHER: We're back on</p> |
| <p>38</p> <p>1 Q And what kind of interaction did you have</p> <p>2 with her?</p> <p>3 In other words, what kind of work were</p> <p>4 you guys involved with during those seven months that</p> <p>5 she was present here?</p> <p>6 A Going back to the spreadsheets that I</p> <p>7 referred to earlier, making sure that the data was</p> <p>8 loaded correctly in those and that, you know, we were</p> <p>9 meeting the needs that -- and providing the</p> <p>10 information for the required fields that Lawson has</p> <p>11 and then testing once that information was loaded in</p> <p>12 the system.</p> <p>13 Q In addition to licensing software from</p> <p>14 Lawson, did Blount also agree to any sort of</p> <p>15 maintenance or sign a contract so that Lawson would</p> <p>16 provide maintenance for that software?</p> <p>17 A Yes.</p> <p>18 Q And what kind of maintenance does Lawson</p> <p>19 provide to Blount for the software it licensed?</p> <p>20 A They provide technical support. They</p> <p>21 also provide -- they will log-in to our servers and</p> <p>22 load our patches and help -- you know, help with any</p> <p>23 problems that we have through our service and</p> <p>24 maintenance agreement with them.</p> <p>25 Q Do you have any assistance on-site from</p> | <p>40</p> <p>1 the record.</p> <p>2 The time is 10:23.,</p> <p>3 (Blount Deposition Exhibit No. 2 was marked for the</p> <p>4 record.)</p> <p>5 BY MR. STRAPP:</p> <p>6 Q The court reporter has now handed you</p> <p>7 what has been marked as Blount Exhibit 2.</p> <p>8 It's a document entitled Requisitions</p> <p>9 Self-Service Lawson training. Could you please take</p> <p>10 a moment to review the document.</p> <p>11 MR. STRAPP: And for the record,</p> <p>12 this has Bates Stamps on it that start</p> <p>13 with B5 and runs through B77.</p> <p>14 BY MR. STRAPP:</p> <p>15 Q Are you familiar with this document?</p> <p>16 A Yes.</p> <p>17 Q Could you, please, describe to me what it</p> <p>18 is.</p> <p>19 A Yes. The first part, the Requisitions</p> <p>20 Self-Service training, is the screens. These were</p> <p>21 developed by myself and my purchasing manager, Rob</p> <p>22 Storey.</p> <p>23 We just did screen shots of Lawson. We</p> <p>24 developed this training packet on our own, and it was</p> <p>25 used to train our nurses and our requisitioners on</p> |

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| <p>41</p> <p>1 how to order through Lawson.</p> <p>2 The back part are the test scripts that</p> <p>3 were provided by Lawson that actually they used to</p> <p>4 train the Super Users. Which for my department, was</p> <p>5 myself, the purchasing agents, our receiving clerks,</p> <p>6 my inventory control person and my assistant</p> <p>7 director. We used the Lawson produced test scripts,</p> <p>8 and then to train the regular users, we made our own,</p> <p>9 which is the front part of this packet.</p> <p>10 So it's actually a combination of two</p> <p>11 things here.</p> <p>12 Q So the first half of this document it</p> <p>13 looks like these are power point slides; is that</p> <p>14 correct?</p> <p>15 A Yes.</p> <p>16 Q And those are slides that you created</p> <p>17 with Rob Storey?</p> <p>18 A Yes.</p> <p>19 Q And then the second portion of this</p> <p>20 document that are -- these documents with charts and</p> <p>21 tables that have test scripts those were created by</p> <p>22 Lawson?</p> <p>23 A Yes.</p> <p>24 Q Do you know who at Lawson created those</p> <p>25 scripts?</p> | <p>43</p> <p>1 in the Materials Management group?</p> <p>2 A No.</p> <p>3 Q What other groups of employees at Blount</p> <p>4 have access to Requisitions Self-Service?</p> <p>5 A Each department will have anywhere from</p> <p>6 one to, you know, ten people even -- that have access</p> <p>7 to do ordering for their area. All the nurses -- I</p> <p>8 say that. Most of the nurses have access to be able</p> <p>9 to go in and order items. Some of our nursing</p> <p>10 requisitioners can just order from our inventory</p> <p>11 storeroom. They don't have access to order any</p> <p>12 non-stock items direct or any special items that</p> <p>13 aren't in the Item Master List. That depends on how</p> <p>14 their record is set up in Lawson for what they --</p> <p>15 their -- they can do.</p> <p>16 Q If you take a look at Page B-12, you'll</p> <p>17 see that the pages on the power point slides are in</p> <p>18 the upper right-hand corner of the slide.</p> <p>19 So page 12 it's a slide that is entitled</p> <p>20 to begin the ordering process put your cursor over</p> <p>21 find shop. Do you see that?</p> <p>22 A Yes.</p> <p>23 Q And there are four bullet point functions</p> <p>24 that a user has the option of searching from; is that</p> <p>25 correct, or selecting from --</p> |
| <p>42</p> <p>1 A I do not. We were given -- Katrina Rice</p> <p>2 gave them to us. I don't know who created them, if</p> <p>3 it was her or someone else.</p> <p>4 Q Okay. Do you know approximately how many</p> <p>5 test scripts Ms. Rice provided you?</p> <p>6 A I do not.</p> <p>7 Q And who trained you on those test scripts</p> <p>8 that were provided by Lawson?</p> <p>9 A Katrina.</p> <p>10 Q And she also trained the other Super</p> <p>11 Users you called them?</p> <p>12 A Yes.</p> <p>13 Q Are they called Super Users because they</p> <p>14 are frequent users of the system?</p> <p>15 A Yes, and we trained the trainer. She</p> <p>16 trained us, and we trained everybody else.</p> <p>17 Q So she's the original trainer?</p> <p>18 A Yes.</p> <p>19 Q She trains you, and then you train --</p> <p>20 A All 700 through -- all the rest of them.</p> <p>21 Q How many people have access to the</p> <p>22 Requisitions Self-Service system at Blount?</p> <p>23 A I think we have -- we have about 600</p> <p>24 approved requisition users.</p> <p>25 Q So I assume that not all those people are</p> | <p>44</p> <p>1 A Yes.</p> <p>2 Q -- when they are shopping through</p> <p>3 Requisitions Self-Service?</p> <p>4 A That's correct.</p> <p>5 Q You had mentioned earlier today that</p> <p>6 there are categories associated with each item in the</p> <p>7 Item Master; is that correct?</p> <p>8 A Yes.</p> <p>9 Q How would a user search by category?</p> <p>10 Would they have to enter search catalog and then</p> <p>11 search by catalog within that?</p> <p>12 A Yes. To be able to search by that</p> <p>13 category, they would have to go to the search</p> <p>14 catalog.</p> <p>15 Q Okay. Could you turn, please, to B-17.</p> <p>16 Do you see there's a document entitled here scenario</p> <p>17 log for configuration acceptance testing?</p> <p>18 A Yes.</p> <p>19 Q And handwritten at the bottom it says</p> <p>20 Lawson test scripts?</p> <p>21 A Yes.</p> <p>22 Q Could you describe what this page of the</p> <p>23 document is referring to?</p> <p>24 A This was provided to us by Lawson, and</p> <p>25 this was a list of the test scripts that we would</p> |

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| <p>45</p> <p>1 need to understand and know in order to use the</p> <p>2 system once implemented.</p> <p>3 Q So would this be a Master List of all the</p> <p>4 test scripts that Lawson provided to Blount?</p> <p>5 A I am not sure if this includes all of the</p> <p>6 test scripts. This is most likely all the test</p> <p>7 scripts for the procurement side but not including</p> <p>8 HR, payroll and finance.</p> <p>9 Q So if we look in the middle of this</p> <p>10 document here, there is a process description on the</p> <p>11 left column sort of halfway down that says</p> <p>12 requisition -- QSHC SCM requisition creating</p> <p>13 requisitions?</p> <p>14 A Yes.</p> <p>15 Q Do you see that?</p> <p>16 A Yes.</p> <p>17 Q And then there are, I think -- let's</p> <p>18 see -- six scripts under that category?</p> <p>19 A Yes.</p> <p>20 Q Are those test scripts that Lawson</p> <p>21 provided that describe how to -- different steps in</p> <p>22 creating requisitions through Requisitions</p> <p>23 Self-Service?</p> <p>24 A Only three actually have to do with</p> <p>25 Requisitions Self-Service. The -- the first three</p> | <p>47</p> <p>1 A Yes.</p> <p>2 Q And Katrina rice trained you on that test</p> <p>3 script?</p> <p>4 A Yes.</p> <p>5 Q And then -- I'm just taking a look here.</p> <p>6 Are there any other scripts that you see listed here</p> <p>7 that relate to creating requisitions through</p> <p>8 Requisitions Self-Service?</p> <p>9 A No, just there were the three. The</p> <p>10 one -- the general one and then one for inventory and</p> <p>11 one for special in service that was listed under the</p> <p>12 same section you were referring to.</p> <p>13 Q Okay. If you take a look about</p> <p>14 two-thirds of the way down this page, there is --</p> <p>15 there's a section on the left column that's entitled</p> <p>16 purchase order vendor agreement. Do you see that? I</p> <p>17 know it's small type.</p> <p>18 A Yes.</p> <p>19 Q And then there are three scripts listed</p> <p>20 in that category?</p> <p>21 A Yes.</p> <p>22 Q Can you describe for me what those</p> <p>23 scripts relate to?</p> <p>24 A That is for contracts, when we load a</p> <p>25 contract, the modules PO 25 in the procurement side,</p> |
| <p>46</p> <p>1 listed are actually -- we only have access -- that's</p> <p>2 how we set up our accounting units which would be a</p> <p>3 department in the hospital if we added a new one.</p> <p>4 The first test script that's what that is referring</p> <p>5 to. Your normal users of Requisitions Self-Service</p> <p>6 don't have access to that. That is controlled by the</p> <p>7 folks in my department that are the Super Users. As</p> <p>8 well as the second one, the add a new requester</p> <p>9 document, that is only used by the people in our</p> <p>10 department, and that's when we have a new -- maybe a</p> <p>11 new employee or somebody that's going to be new to</p> <p>12 the ordering process. We set that up, and it's only</p> <p>13 done by our department.</p> <p>14 Q What about the --</p> <p>15 A And then the create requisitions that is</p> <p>16 the module you were referring to earlier where you</p> <p>17 can go in and create a direct requisition, and only</p> <p>18 the folks from my department have access to it, but</p> <p>19 we do not use it.</p> <p>20 Q Okay. Now the create requisition through</p> <p>21 RSS is that a script that describes how to create</p> <p>22 requisitions through Requisitions Self-Service?</p> <p>23 A Yes.</p> <p>24 Q And that's a test script that was</p> <p>25 provided by Lawson to Blount?</p> | <p>48</p> <p>1 and that would allow us to -- if we have a contract</p> <p>2 with a particular vendor where the price for the</p> <p>3 items are \$50 a box, we can load that contract in,</p> <p>4 tie it to that item that's in our Item Master List.</p> <p>5 It pulls from the contract price when we produce a</p> <p>6 purchase order, and it will also require that the</p> <p>7 invoice comes in and matches that price in order for</p> <p>8 that vendor to be paid.</p> <p>9 Q So once an individual at Blount or --</p> <p>10 once someone -- once someone at Blount loads in the</p> <p>11 purchase order vendor agreement contract, all of the</p> <p>12 information associated with each item from the vendor</p> <p>13 in the contract automatically gets pulled into the</p> <p>14 Item Master?</p> <p>15 A Yes. We have to set it up. What we do</p> <p>16 is make a spreadsheet for all the items that may be</p> <p>17 under this contract, and there are certain fields</p> <p>18 that are required, and then through Microsoft</p> <p>19 add-ins, we attach that contract to each of the items</p> <p>20 that it's associated with.</p> <p>21 Q Did Ms. Rice from Lawson assist Blount in</p> <p>22 adding in the purchase order vendor agreement</p> <p>23 contracts before the system went live in 2009?</p> <p>24 A Only for a couple. She showed us how to,</p> <p>25 and that was one of the last things we did. We only</p> |

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| <p>49</p> <p>1 had a couple of contracts loaded in at the time we</p> <p>2 went live, and what has been loaded in since has been</p> <p>3 done by us.</p> <p>4 Q Okay. So -- and the system that went</p> <p>5 live as of January 1st, 2009, the vendor agreement</p> <p>6 contracts and the information associated with those</p> <p>7 contracts, had been loaded by Ms. Rice?</p> <p>8 A Yes, but there were only, like, I think</p> <p>9 maybe two vendors, and I don't know which ones those</p> <p>10 were.</p> <p>11 Q Okay. And if you go to the top of this</p> <p>12 document here, there's a column on the left -- a</p> <p>13 description on the left, the second one down, it says</p> <p>14 inventory Item Master, and there is a test script</p> <p>15 that is called create new item. Do you see that?</p> <p>16 A Yes.</p> <p>17 Q What does that script involve?</p> <p>18 A That's where -- that's one of the first</p> <p>19 places you would go to set an item up in the item</p> <p>20 Master List and whether or not you link it to</p> <p>21 inventory or it's a direct.</p> <p>22 Q So that's a test script that Lawson</p> <p>23 provided to Blount that describes how to add a new</p> <p>24 item to the Item Master?</p> <p>25 A Yes.</p> | <p>51</p> <p>1 A My contract analyst was. I personally</p> <p>2 was not.</p> <p>3 Q Who is your contract analyst?</p> <p>4 A Cheryl Smith.</p> <p>5 Q Okay. Has Cheryl Smith been responsible</p> <p>6 for loading vendor contracts in since the time that</p> <p>7 Ms. Rice left?</p> <p>8 A Yes.</p> <p>9 Q And approximately how many vendor</p> <p>10 contracts have been loaded into the system?</p> <p>11 A Not very many. I'm going to say less</p> <p>12 than 30.</p> <p>13 Q When you're adding in a vendor contract,</p> <p>14 is the information from that vendor -- all the items</p> <p>15 associated with that vendor are non-stock items?</p> <p>16 A Not necessarily.</p> <p>17 Q Okay. Let's turn to page B-41. What is</p> <p>18 this script here?</p> <p>19 A This is one of the first steps in setting</p> <p>20 up a new item in the Item Master List. It's -- it's</p> <p>21 where you put in your manufacturer code, your -- the</p> <p>22 manufacturer division; for example, if it was Johnson</p> <p>23 & Johnson would be the manufacturer and the division</p> <p>24 could be Ethicon. This is also -- there's a tab</p> <p>25 there where you set up our inventory class and</p> |
| <p>50</p> <p>1 Q And what about the script above that? It</p> <p>2 says add a new PO vendor and purchase form. The very</p> <p>3 top script there.</p> <p>4 A That is -- if we were setting up a new</p> <p>5 vendor in the system that -- that's never been loaded</p> <p>6 before, that process actually starts on the</p> <p>7 accounting and finance side, and then there's a flag.</p> <p>8 Once accounting and finance does their piece, we go</p> <p>9 in and flag it that it's a purchase order vendor.</p> <p>10 Q What about the script -- it's the fourth</p> <p>11 script in the list. It says add a new PO vendor</p> <p>12 item. What does that script involve?</p> <p>13 A I have no idea.</p> <p>14 Q Okay. Let's take a look at page B-25.</p> <p>15 It's the script entitled purchase order vendor</p> <p>16 agreement, and it says prepared by Lawson.</p> <p>17 A Oh, it -- that's -- that's the contract</p> <p>18 piece, too. That's where you would load a contract</p> <p>19 in.</p> <p>20 Q So this was a script that was provided by</p> <p>21 Lawson that describes how to add in a vendor</p> <p>22 contract?</p> <p>23 A Yes.</p> <p>24 Q And were you trained on this script by</p> <p>25 Ms. Rice?</p> | <p>52</p> <p>1 purchasing class as well.</p> <p>2 So it's one of the first screens in</p> <p>3 setting up an item.</p> <p>4 Q And this is a script that was provided by</p> <p>5 Lawson as well?</p> <p>6 A Yes.</p> <p>7 Q Were you trained on how to use this</p> <p>8 script by Katrina?</p> <p>9 A Yes.</p> <p>10 (Blount Deposition Exhibit No. 3 was marked for the</p> <p>11 record.)</p> <p>12 BY MR. STRAPP:</p> <p>13 Q You've been handed what has now been</p> <p>14 marked as Blount Exhibit 3.</p> <p>15 Could you please take a moment to review</p> <p>16 this document.</p> <p>17 Can you tell me what this -- first, are</p> <p>18 you familiar with this document?</p> <p>19 A I haven't looked at it in a long time,</p> <p>20 but, yes, I'm aware of what it is.</p> <p>21 Q Could you describe to me what it is,</p> <p>22 please.</p> <p>23 A Yes. It was Lawson's response to Blount</p> <p>24 Memorial's Request for Proposal for an ERP system.</p> <p>25 Q And you were a part of the team that</p> |

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| <p>53</p> <p>1 evaluated their proposal?</p> <p>2 A Yes.</p> <p>3 Q If you take a look at Page 15 of the</p> <p>4 document, it has the Bates Stamp L83380 at the</p> <p>5 bottom.</p> <p>6 MR. STRAPP: And for the record,</p> <p>7 this exhibit begins with page L83359.</p> <p>8 BY MR. STRAPP:</p> <p>9 Q You'll see a section entitled functional</p> <p>10 requirements?</p> <p>11 A Yes.</p> <p>12 Q Is this a list, to your understanding, of</p> <p>13 the requirements that -- the requirements that Blount</p> <p>14 had included in its Request for Proposal, and then</p> <p>15 the chart next to each requirement indicates whether</p> <p>16 Lawson is capable of fulfilling that requirement?</p> <p>17 A Yes.</p> <p>18 Q Okay. If you turn to page L83406, it's</p> <p>19 Page 41 of the document. Do you see under the</p> <p>20 section requisitioning there is number ten at the</p> <p>21 bottom of the page?</p> <p>22 A Yes.</p> <p>23 Q And it states: Allows users to place</p> <p>24 stock, non-stock and non-catalog items from multiple</p> <p>25 sources on one requisition?</p> | <p>55</p> <p>1 a legal conclusion.</p> <p>2 BY MR. STRAPP:</p> <p>3 Q Could you take a look at the next page of</p> <p>4 the document, please, Page 42, and you see there's</p> <p>5 a -- functional requirement 13 states: Provides the</p> <p>6 ability to globally add, delete or substitute items</p> <p>7 or modify the unit of measure and quantity on</p> <p>8 requisition templates.</p> <p>9 Could you describe for me what that</p> <p>10 functional requirement means?</p> <p>11 A Let me read through it.</p> <p>12 Q Sure.</p> <p>13 A I do not know.</p> <p>14 Q Okay. What about on Page 44, functional</p> <p>15 requirement 15, it's at the top of the page. It</p> <p>16 states: Allows toggling between primary and</p> <p>17 secondary vendor on an item regardless of the item</p> <p>18 status on the open purchase orders and pending</p> <p>19 requisitions.</p> <p>20 Do you have any understanding of what</p> <p>21 that means?</p> <p>22 A Yes. For example, if we have -- were</p> <p>23 able to get a particular catheter from Seneca, our</p> <p>24 main med search distributor, if -- or we could also</p> <p>25 have a secondary vendor. We could also get it from</p> |
| <p>54</p> <p>1 A Yes.</p> <p>2 Q Was that a functional requirement in the</p> <p>3 Request for Proposal that Blount issued to Lawson?</p> <p>4 A Yes.</p> <p>5 Q And is that a function that's included in</p> <p>6 the software that Lawson provided to Blount?</p> <p>7 A No -- I mean, we don't allow them to go</p> <p>8 out to a vendor catalog. The source is -- they can</p> <p>9 order stock and non-stock and put it on the same</p> <p>10 requisition, but it all has to come from our Item</p> <p>11 Master List or a direct, but they could still put --</p> <p>12 or a special, maybe even something that's not in our</p> <p>13 Item Master List. They could still put an inventory</p> <p>14 item, a non-stock item that's in the Item Master List</p> <p>15 as well as a special item that is not in the Item</p> <p>16 Master List all those -- all three could be on one</p> <p>17 requisition.</p> <p>18 Q So to clarify, a user at Blount using</p> <p>19 Lawson's Requisitions Self-Service can create a</p> <p>20 requisition for multiple non-stock items that are</p> <p>21 generally equivalent yet come from different vendors</p> <p>22 and then create -- and create purchase order from</p> <p>23 that one requisition?</p> <p>24 A Yes.</p> <p>25 MR. GRAHAM: Objection. Calls for</p> | <p>56</p> <p>1 our secondary med search supplier, which would be</p> <p>2 Owens & Minor. If the particular item is loaded in</p> <p>3 that way, they could pick to get it either from</p> <p>4 Seneca or Owens & Minor.</p> <p>5 To my knowledge, we do not have any items</p> <p>6 set up with dual vendors. The capability is there,</p> <p>7 though.</p> <p>8 Q Okay. So there's functionality within</p> <p>9 the Requisitions Self-Service system provided -- that</p> <p>10 Blount is using that allows a user to toggle between</p> <p>11 a primary and a secondary vendor for the same item?</p> <p>12 A Yes.</p> <p>13 Q Okay. Take a look at Page 45. Do you</p> <p>14 see functional requirement two towards the bottom of</p> <p>15 the list there: Maintains -- quote, maintains an</p> <p>16 unlimited number of vendors per item, end quote?</p> <p>17 A Yes.</p> <p>18 Q Does the Requisitions Self-Service</p> <p>19 software allow Blount to maintain an unlimited number</p> <p>20 of vendors per item?</p> <p>21 A I'm not sure.</p> <p>22 Q Can you take a look, please, at Page 51.</p> <p>23 Functional requirement four.</p> <p>24 A Yes.</p> <p>25 Q It says: Quote, manages price catalogs,</p> |

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| <p>57</p> <p>1 purchase orders, purchase order confirmations and</p> <p>2 invoice transactions. Can you describe for me what</p> <p>3 that means, please.</p> <p>4 A That the system has the capability to --</p> <p>5 to receive or send out electronically purchase orders</p> <p>6 or receive in invoices through the system.</p> <p>7 Q And does the Requisitions Self-Service</p> <p>8 system have that functionality?</p> <p>9 A The purchasing -- the purchase order side</p> <p>10 does. Not the Requisitions Self-Service side. The</p> <p>11 only electronic piece that we use is via the purchase</p> <p>12 order side, not through Requisitions Self-Service.</p> <p>13 Q So the purchase order module provided by</p> <p>14 Lawson has that functionality?</p> <p>15 A Yes. Our -- ours does. That is --</p> <p>16 that's what we don't have on Requisitions</p> <p>17 Self-Service is the ability to go outside of the</p> <p>18 Lawson system on the RSS side, the Requisitions</p> <p>19 Self-Service side. The purchase order side we have</p> <p>20 the capability to send purchase orders electronically</p> <p>21 via the GHX interface.</p> <p>22 Q Just focusing in on this particular</p> <p>23 requirement of managing price catalogs. What is a</p> <p>24 price catalog?</p> <p>25 A I don't know -- I don't know what that</p> | <p>59</p> <p>1 Information Systems.</p> <p>2 Q Is he the individual you report to?</p> <p>3 A No. He's a peer of mine.</p> <p>4 Q And what's his responsibility? His job</p> <p>5 responsibilities?</p> <p>6 A He's over the Information Systems</p> <p>7 Department and oversees the implementation of systems</p> <p>8 and has staff members that oversee the implementation</p> <p>9 of systems as well.</p> <p>10 Q Was he responsible for the process of</p> <p>11 migrating or converting data from the old -- older</p> <p>12 requisition software that Blount had been using when</p> <p>13 it transitioned to the Lawson Software?</p> <p>14 A No. The responsibility lied within the</p> <p>15 different departments that were in charge of it, yes.</p> <p>16 He just kind of overseen the technical piece of it.</p> <p>17 Q Okay. But you were responsible for the</p> <p>18 actual --</p> <p>19 A Yes. For anything, like, when I</p> <p>20 needed -- if I was in charge of setting up purchase</p> <p>21 orders that were still open from the old system, it</p> <p>22 was my responsibility to get those set up in the new</p> <p>23 system. Not him.</p> <p>24 Q And what role did Ms. Rice from Lawson</p> <p>25 play in assisting with that data conversion?</p> |
| <p>58</p> <p>1 means.</p> <p>2 (Blount Deposition Exhibit No. 4 was marked for the</p> <p>3 record.)</p> <p>4 BY MR. STRAPP:</p> <p>5 Q Okay. You now have in front of you</p> <p>6 Exhibit 4. It's a document entitled Lawson statement</p> <p>7 of work for Blount Memorial.</p> <p>8 Could you please take a moment to review</p> <p>9 the document.</p> <p>10 MR. STRAPP: For the record, it</p> <p>11 begins with Bates Stamp B3802 and it goes</p> <p>12 through B3837.</p> <p>13 BY MR. STRAPP:</p> <p>14 Q Do you recognize this document?</p> <p>15 A No.</p> <p>16 Q Have you ever seen it before?</p> <p>17 A I don't think so.</p> <p>18 Q Okay. From your experience as the</p> <p>19 Director of Materials Management, do you have any</p> <p>20 familiarity with the information included in this</p> <p>21 document even if you haven't seen it?</p> <p>22 A No.</p> <p>23 Q No? Do you know who at Blount would be</p> <p>24 familiar with this document?</p> <p>25 A Probably Jason Mashburn, our Director of</p> | <p>60</p> <p>1 A For the vendors, we ran reports and put</p> <p>2 those into spreadsheets from the old system to set</p> <p>3 our new vendors up. Any purchase orders that we were</p> <p>4 in the middle of she had no involvement in. We had</p> <p>5 to do all of that ourselves.</p> <p>6 Q What type of training -- you had</p> <p>7 mentioned earlier that Ms. Rice provided training to</p> <p>8 the Super Users on various Lawson scripts for</p> <p>9 Requisitions Self-Service and for loading</p> <p>10 information -- items into the Item Master and for</p> <p>11 loading vendor agreements and contracts, correct?</p> <p>12 A Yes.</p> <p>13 Q Did Ms. Rice provide any additional</p> <p>14 training beyond that training that you had already</p> <p>15 discussed?</p> <p>16 A She did work with some of our -- a couple</p> <p>17 of our information systems employees when a</p> <p>18 particular gentleman -- to help him understand how to</p> <p>19 set up the EDI transactions with GHX and who the</p> <p>20 contact would need to be.</p> <p>21 Other than that, I'm not aware of any.</p> <p>22 Q Were you involved at all in negotiating</p> <p>23 the financial side of the contract?</p> <p>24 A No.</p> <p>25 Q And who had responsibility for that?</p> |

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| <p>61</p> <p>1 A Our CIO, my boss, John Hanks.</p> <p>2 Q Are you familiar with the financial terms</p> <p>3 of the arrangement?</p> <p>4 A No.</p> <p>5 MR. STRAPP: No. 5.</p> <p>6 (Blount Deposition Exhibit No. 5 was marked for the</p> <p>7 record.)</p> <p>8 BY MR. STRAPP:</p> <p>9 Q You've been handed now Blount Exhibit 5.</p> <p>10 The Bates Numbers on this page which are on the top</p> <p>11 of the page upside down are B2775 through B2779.</p> <p>12 Could you take a moment, please, to look</p> <p>13 through this series of e-mails.</p> <p>14 Are you familiar with -- with these</p> <p>15 series of e-mails here?</p> <p>16 A Yes.</p> <p>17 Q And are these e-mails that were sent from</p> <p>18 Katrina Rice to you on July 28th and July 29, 2008?</p> <p>19 A Yes. It looks like some that are</p> <p>20 attached here also from myself to her.</p> <p>21 Q Can you describe for me -- well, let's</p> <p>22 take a look first at the page B2779. There's an</p> <p>23 e-mail on that page from Katrina Rice to H. Young and</p> <p>24 with a copy to you and others --</p> <p>25 A Yes.</p> | <p>63</p> <p>1 had to set up manufacturer codes.</p> <p>2 That's -- she did refer to manufacturer</p> <p>3 codes, and that is an abbreviation for the</p> <p>4 manufacturer that had to be set up, and that's what's</p> <p>5 tied to the field for the Item Master List, and that</p> <p>6 is what she is referring to in there. And we -- we</p> <p>7 gave her the information, and if we missed something</p> <p>8 or -- for example, if we attached a manufacturer code</p> <p>9 that wasn't in the manufacturer list, it would</p> <p>10 generate an error, and she would tell us, hey, this</p> <p>11 isn't a valid code because you have to go to a</p> <p>12 different table in the system to build the code and</p> <p>13 that has to be a valid code built in that table</p> <p>14 before you can attach it to an Item Master number.</p> <p>15 Q Okay. So during this process, she would</p> <p>16 work with you to assist you in creating the</p> <p>17 spreadsheets that had the information, and then once</p> <p>18 those spreadsheets were created, she would load the</p> <p>19 information from those spreadsheets into the Item</p> <p>20 Master?</p> <p>21 A Yes. She didn't really help us create</p> <p>22 them. She just basically told us what field she</p> <p>23 would need, and she gave us just a blank spreadsheet</p> <p>24 with fields labeled at the top and explained to us</p> <p>25 what information was required for each field.</p> |
| <p>62</p> <p>1 Q -- at Blount.</p> <p>2 Do you see in that e-mail there Katrina</p> <p>3 Rice says: Quote, hi, guy, I see you have sent me</p> <p>4 some Item Master items to be loaded, and then she</p> <p>5 goes on to say some additional things in this e-mail.</p> <p>6 Do you recall what the purpose and what</p> <p>7 was meant and referred to by Katrina in this e-mail?</p> <p>8 A Not specifically.</p> <p>9 Q Okay. Let me ask you this question:</p> <p>10 Were individuals at Blount in the time frame of</p> <p>11 July 2008 sending Katrina Rice Item Master items to</p> <p>12 be loaded into the Item Master?</p> <p>13 A Yes. We would have began working on that</p> <p>14 at this time. Yes.</p> <p>15 Q And how did that process work? Can you</p> <p>16 describe for me the details of --</p> <p>17 A Yes. We had several spreadsheets that</p> <p>18 were very large that were sent -- I think we sent</p> <p>19 them all to you, and we would fill out the</p> <p>20 spreadsheets based on the criteria of the field, what</p> <p>21 it was called, whether they needed the item -- you</p> <p>22 know, manufacturer number, our inventory number, the</p> <p>23 description, you know, if we got it from a</p> <p>24 distributor or if we didn't and setting up the</p> <p>25 vendors as well and the codes for the vendors. We</p> | <p>64</p> <p>1 It was our job to populate the</p> <p>2 spreadsheets and then get them to her, and then she</p> <p>3 rolled it into the system.</p> <p>4 Q And to the extent that there were any</p> <p>5 problems in loading information from those</p> <p>6 spreadsheets into the Item Master, she would work</p> <p>7 with you to solve those problems?</p> <p>8 A Yes. She would tell us what they were</p> <p>9 and, you know, where we were missing a piece and</p> <p>10 another table, perhaps, or if a -- a unit of measure</p> <p>11 we had loaded wasn't in ANSI format, we would -- she</p> <p>12 would let us know that, and we would change that.</p> <p>13 Q And approximately how long did the</p> <p>14 process last from the first creations of these</p> <p>15 spreadsheets through the final, you know, go-live of</p> <p>16 the Item Master on January 1, '09?</p> <p>17 A I think -- I'm not -- I don't know the</p> <p>18 specific date, but we probably worked on them from</p> <p>19 July to -- I would think sometime around October we</p> <p>20 had our items built, October, November, and she had</p> <p>21 started loading those. Those were probably complete</p> <p>22 then. It might have been a little sooner than that.</p> <p>23 I'm not sure of the date.</p> <p>24 (Blount Deposition Exhibit No. 6 was marked for the</p> <p>25 record.)</p> |

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| <p>65</p> <p>1 BY MR. STRAPP:</p> <p>2 Q You now have Blount Exhibit 6 with the</p> <p>3 Bates Stamp, B2766 through B2770.</p> <p>4 This, again, is a series of e-mails from</p> <p>5 Katrina Rice to you, and these e-mails are dated</p> <p>6 July 31st, 2008 and August 1st, 2008.</p> <p>7 Take a moment, please, to review them.</p> <p>8 I want to ask you about the e-mail on the</p> <p>9 final page of the document, B2770. It's an e-mail</p> <p>10 from Katrina Rice to you dated July 31st, 2008.</p> <p>11 A Yes.</p> <p>12 Q Do you see here the first sentence of the</p> <p>13 e-mail says: Quote, I am working on the Item Master</p> <p>14 load and have a few issues we will need to go over</p> <p>15 the week of 8/11. I have enough loaded for testing,</p> <p>16 but these issues will need to be resolved before</p> <p>17 building the next prototype?</p> <p>18 A Yes.</p> <p>19 Q When she -- when Katrina said to you in</p> <p>20 this e-mail that she had enough loaded for testing,</p> <p>21 did that mean to you -- was it your understanding</p> <p>22 when you received this e-mail that that meant there</p> <p>23 had been sufficient items loaded into the Item Master</p> <p>24 by Katrina Rice that there could be tests done on</p> <p>25 that Item Master?</p> | <p>67</p> <p>1 BY MR. STRAPP:</p> <p>2 Q You now have Blount Exhibit 7, Bates</p> <p>3 Stamped B945 through B1051. Please take a moment to</p> <p>4 review this document.</p> <p>5 Can you take a look at page B947. Do you</p> <p>6 see the top e-mail on this page is an e-mail from</p> <p>7 Katrina Rice to C.L. Smith at Blount and also a copy</p> <p>8 to you?</p> <p>9 A You said B00947, correct?</p> <p>10 Q That's right.</p> <p>11 A Yes.</p> <p>12 Q And you see in the first sentence of this</p> <p>13 e-mail Katrina Rice says -- writes to you: After</p> <p>14 taking out all of the duplicates, attached is the</p> <p>15 finalized Item Master load and manufacturer code</p> <p>16 table.</p> <p>17 When Ms. Rice wrote that she was</p> <p>18 attaching the finalized Item Master load and</p> <p>19 manufacturer code table, what did that mean to you?</p> <p>20 A She was letting us know these were the</p> <p>21 spreadsheets that we had sent her that she had</p> <p>22 uploaded.</p> <p>23 Q And so at that point on November 14th,</p> <p>24 she was indicating to you she had completed loading</p> <p>25 into the item master all the spreadsheets you had</p> |
| <p>66</p> <p>1 A Yes.</p> <p>2 Q And what kind of tests were -- what kind</p> <p>3 of tests were run on the Item Master?</p> <p>4 A The items were loaded in there, and we</p> <p>5 were able to go through Requisitions Self-Service</p> <p>6 through test scenarios and pull items and process for</p> <p>7 ordering by pulling from that list.</p> <p>8 Q And she lists here a series of nine</p> <p>9 issues that -- Ms. Rice lists a series of nine issues</p> <p>10 in this e-mail that she was hoping to resolve.</p> <p>11 Would you and others at Blount work with</p> <p>12 Ms. Rice to resolve issues that she had in order to</p> <p>13 populate and build the Item Master so that there</p> <p>14 wouldn't be any problems with it?</p> <p>15 A Yes.</p> <p>16 Q Okay. Was Ms. Rice on-site at Blount</p> <p>17 during this period?</p> <p>18 A I'm not sure.</p> <p>19 Q But she was traveling back and forth?</p> <p>20 A She was traveling back and forth, yes.</p> <p>21 When she sent the e-mail, I would say not; because it</p> <p>22 looks like, based on the verbiage on it, she was</p> <p>23 coming here on August the 11th.</p> <p>24 (Blount Deposition Exhibit No. 7 was marked for the</p> <p>25 record.)</p> | <p>68</p> <p>1 provided to her?</p> <p>2 A That's what I would assume this means.</p> <p>3 That would be about the time frame I would have</p> <p>4 suspected.</p> <p>5 Q Okay. And when she refers to the</p> <p>6 manufacturer code table, is that a spreadsheet that</p> <p>7 lists particular codes for each manufacturer?</p> <p>8 A Yes. It's just an abbreviation. The</p> <p>9 field only takes -- I can't remember -- it's two to</p> <p>10 four characters, and so you had to come up with an</p> <p>11 abbreviation for each vendor or manufacturer.</p> <p>12 Q And you see in the next paragraph of the</p> <p>13 e-mail she writes: I would like to start loading</p> <p>14 contracts next week if possible. Remember I will</p> <p>15 need the vendor item number as well as the item</p> <p>16 number to load each contract.</p> <p>17 Is that referring to what we discussed</p> <p>18 earlier about how Ms. Rice loaded certain vendor</p> <p>19 contracts prior to, you know, the Requisitions</p> <p>20 Self-Service going live on January 1st?</p> <p>21 A Yes. There was -- there was a</p> <p>22 spreadsheet for contracts, and we got some -- not</p> <p>23 near as many as we had wanted to -- loaded with her</p> <p>24 help, and it was just like loading the items or the</p> <p>25 manufacturer codes. There was a blank spreadsheet</p> |

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| <p>69</p> <p>1 with fields, and we provided her the information</p> <p>2 requested.</p> <p>3 Q Okay. Take a look at the next -- the</p> <p>4 page before, B9 -- B946. It's an e-mail from Katrina</p> <p>5 Rice to Bill Morycz copying you, dated November 18th,</p> <p>6 2008.</p> <p>7 A Yes.</p> <p>8 Q Ms. Rice writes: Quote, I have finished</p> <p>9 loading the Item Master to the train data area so we</p> <p>10 have a clean area to train in this week. It is also</p> <p>11 loaded with dev, and this is the area we will keep</p> <p>12 clean to be moved over to the prod. It is loaded to</p> <p>13 test but has a lot of bogus data there as that is the</p> <p>14 area we were training in and doing transactions in</p> <p>15 to-date.</p> <p>16 If possible, could you help me decipher</p> <p>17 this e-mail and explain what it means?</p> <p>18 A Yes. We had three -- the system was kind</p> <p>19 of loaded in three different sections. That's</p> <p>20 probably not the best way to describe it.</p> <p>21 We had a train version of the system.</p> <p>22 The same copy of the system was loaded in as</p> <p>23 development as well as test. And to keep different</p> <p>24 pieces of it accurate when we were playing with it</p> <p>25 and practicing setting up items and doing things like</p> | <p>71</p> <p>1 Cheryl to get back to me with contract pricing.</p> <p>2 I have loaded the clean data to dev and</p> <p>3 train so you can have good data to train with as test</p> <p>4 has all the duplicate items.</p> <p>5 Does that mean that there was a clean</p> <p>6 version of Item Master loaded into dev, and that's</p> <p>7 the one that you went live with?</p> <p>8 A Yes. Yes. Test was where we had been</p> <p>9 testing during the times she was still -- we were</p> <p>10 getting everything finalized and we could have had</p> <p>11 duplicates or fake items that we had set up just to</p> <p>12 be able to test with and play with in order to learn</p> <p>13 the system.</p> <p>14 Q And if you look at the last several pages</p> <p>15 of this exhibit, it looks like it's a printout of a</p> <p>16 spreadsheet?</p> <p>17 A Yes.</p> <p>18 Q Now, is this printout -- to your</p> <p>19 understanding, is this printout a spreadsheet</p> <p>20 essentially a list of all the information in the Item</p> <p>21 Master that Ms. Rice was attaching to her e-mail?</p> <p>22 A Yes, that's what it appears to be.</p> <p>23 Q Okay. And so the information in this</p> <p>24 spreadsheet had been, you know, collected by Blount</p> <p>25 personnel and then it had been loaded in the proper</p> |
| <p>70</p> <p>1 that, we would have functioned and done that in test,</p> <p>2 and then when we started training our end users, we</p> <p>3 had have done that through the train version of the</p> <p>4 system, and then when she's referring to the dev --</p> <p>5 the d-e-v version of it -- that's kind of the</p> <p>6 development. That's where we kept it clean because</p> <p>7 that was what we were actually going to rollover, and</p> <p>8 it changed to the prod system.</p> <p>9 Q And the prod system is the one you went</p> <p>10 live with?</p> <p>11 A Yes. That's production, yes.</p> <p>12 Q And that's the system that's currently in</p> <p>13 use?</p> <p>14 A Yes.</p> <p>15 Q And so Ms. Rice had loaded in as of</p> <p>16 November 18th, 2008 the Item Master to this dev</p> <p>17 system which was eventually moved over to the one</p> <p>18 that went live?</p> <p>19 A Yes.</p> <p>20 Q Okay. And if you look at -- take a look</p> <p>21 at B945, it's the first e-mail on the chain from</p> <p>22 Katrina Rice to Rob Storey dated November 18th.</p> <p>23 A Yes.</p> <p>24 Q Ms. Rice writes in the e-mail: I am done</p> <p>25 with Item Master uploads and I have provided it to</p> | <p>72</p> <p>1 format by Ms. Rice directly into the Item Master?</p> <p>2 A Correct.</p> <p>3 (Blount Deposition Exhibit No. 8 was marked for the</p> <p>4 record.)</p> <p>5 BY MR. STRAPP:</p> <p>6 Q You now have Blount Exhibit 8, bates</p> <p>7 number B877 through B879. Take a moment after you've</p> <p>8 had a chance to review it to focus on the e-mail on</p> <p>9 page B879 from Katrina Rice to you dated</p> <p>10 November 20th, 2008.</p> <p>11 Do you see in this e-mail Ms. Rice is</p> <p>12 writing to you that Cheryl has given me approximately</p> <p>13 110 contracts to load. And KS fixed up with a</p> <p>14 shortcut to the server so I will be working on</p> <p>15 getting these loaded. Cheryl has more contracts to</p> <p>16 give me and any lines on the ones that she has given</p> <p>17 me that do not load may have to be loaded manually</p> <p>18 depending on our time constraints. And then at the</p> <p>19 end of the paragraph, she writes: I will load as</p> <p>20 much as possible today and tomorrow, but I would like</p> <p>21 to work with Cheryl the week of December 1st to train</p> <p>22 her on the contract loading process and the manual</p> <p>23 contract loading process.</p> <p>24 Is it your understanding that Cheryl --</p> <p>25 what was Cheryl's last name?</p> |

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| <p>73</p> <p>1 A Smith.</p> <p>2 Q Is it your understanding that Cheryl</p> <p>3 Smith provided Katrina with the vendor contracts and</p> <p>4 then Katrina loaded some of those vendor contracts</p> <p>5 and trained Cheryl on how to load others?</p> <p>6 A Yes, and the contracts were provided to</p> <p>7 her via spreadsheet with the required fields that we</p> <p>8 populated the information in the spreadsheet and then</p> <p>9 gave it to Katrina, and she loaded the contracts and</p> <p>10 attached them to the items.</p> <p>11 Q When you say attached them to the items,</p> <p>12 does that mean that the information in the contracts</p> <p>13 got associated with the items in the Item Master?</p> <p>14 A Yes.</p> <p>15 Q Information such as price?</p> <p>16 A Yes.</p> <p>17 Q And item description?</p> <p>18 A Probably just the price would be the only</p> <p>19 thing that that would have -- I'm not positive on</p> <p>20 that. What would probably have been in her</p> <p>21 spreadsheets would have just been the contract</p> <p>22 number, our item number and the price.</p> <p>23 The description is actually maintained</p> <p>24 somewhere else.</p> <p>25 (Blount Deposition Exhibit No. 9 was marked for the</p> | <p>75</p> <p>1 (Blount Deposition Exhibit No. 10 was marked for the</p> <p>2 record.)</p> <p>3 BY MR. STRAPP:</p> <p>4 Q You now have Blount Exhibit 10, Bates</p> <p>5 number B842 through B860. This is an e-mail also</p> <p>6 from Katrina Rice to Rob Storey with a copy to you</p> <p>7 dated December 3rd, 2008. And in this e-mail Katrina</p> <p>8 Rice writes: Quote, attached are items with missing</p> <p>9 inventory classes and missing purchasing classes.</p> <p>10 If you want to fill these in and send</p> <p>11 them back to me, I can load them.</p> <p>12 Is it your understanding that what</p> <p>13 Ms. Rice was sending to you and to Mr. Storey were</p> <p>14 items from the Item Master that were missing their</p> <p>15 inventory classes or purchasing class?</p> <p>16 A Yes.</p> <p>17 Q And what are inventory classes?</p> <p>18 A It's ways that we track categories of</p> <p>19 items. It gives our requisitioners and end users a</p> <p>20 way to search for items.</p> <p>21 For example, an inventory class would be</p> <p>22 IV fluids, and those are in there as IV, or inventory</p> <p>23 class could be gloves, and that way when a user wants</p> <p>24 to go in and they want to see all the gloves that we</p> <p>25 have in stock or that we have loaded in the Item</p> |
| <p>74</p> <p>1 record.)</p> <p>2 BY MR. STRAPP:</p> <p>3 Q You now have Blount Exhibit 9, Bates</p> <p>4 Number 8 -- B837 through B841. This is an e-mail</p> <p>5 from Katrina Rice to Rob Storey with a copy to you</p> <p>6 dated December 3rd, 2008, and it also has two</p> <p>7 attachments. You see in this e-mail Katrina Rice</p> <p>8 writes: Quote, attached are items with missing</p> <p>9 manufacturer codes and missing manufacturer numbers.</p> <p>10 If you want to fill these in and provide them back to</p> <p>11 me, I can load them.</p> <p>12 Is it your understanding that what</p> <p>13 Ms. Rice was sending to you and to Rob Storey were</p> <p>14 items from the Item Master that were missing either</p> <p>15 manufacturer codes or manufacturer numbers?</p> <p>16 A Yes.</p> <p>17 Q And to the best of your knowledge, did</p> <p>18 someone at Blount fill in those missing codes and</p> <p>19 missing numbers and send the information back to</p> <p>20 Katrina Rice?</p> <p>21 A Yes.</p> <p>22 Q And is it also your understanding that</p> <p>23 Katrina Rice then loaded that information into the</p> <p>24 Item Master?</p> <p>25 A Yes.</p> | <p>76</p> <p>1 Master list, they can type in glove, and it will pull</p> <p>2 everything because it's pulling it based on that</p> <p>3 inventory class or purchasing class.</p> <p>4 Q So the inventory class is the field that</p> <p>5 includes the information that will allow a user to</p> <p>6 search by a category?</p> <p>7 A Yes, and the purchasing class. They are</p> <p>8 virtually kind of the same thing.</p> <p>9 Q What is the purchasing class?</p> <p>10 A Same thing. We have it divided up just</p> <p>11 for our ease so we could quickly see when we did</p> <p>12 this, and now, in retrospect, it doesn't matter,</p> <p>13 but -- the -- you know, we had put in -- like a</p> <p>14 purchasing class for our inventory items were all</p> <p>15 inventories, inv, so we would know that those were</p> <p>16 inventory items. In retrospect, we never use it.</p> <p>17 And -- but the purchasing class -- I mean, the</p> <p>18 inventory class then would be how it was categorized,</p> <p>19 what group we would put that item under, and it's</p> <p>20 simply used for searching. You know, needles are in</p> <p>21 there as, I think, NDL or something like that, and</p> <p>22 nurses could put that in and find it that way.</p> <p>23 Q Okay. So --</p> <p>24 A It's really for search functions.</p> <p>25 Q Okay. So the information in the</p> |

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| <p>77</p> <p>1 inventory class includes information about the</p> <p>2 category within which that item falls?</p> <p>3 A Uh-huh.</p> <p>4 Q And is there information entered in the</p> <p>5 inventory class for non-stock and for inventory</p> <p>6 items?</p> <p>7 A Yes. For non-stock items, the inventory</p> <p>8 class and the purchasing class are normally the same</p> <p>9 thing.</p> <p>10 For example, we don't keep -- we keep</p> <p>11 very few things for our laboratory in our inventory</p> <p>12 system, and so for laboratory items, those items are</p> <p>13 loaded in as non-stock items, and it would be</p> <p>14 chemicals, reagents. Different things like that</p> <p>15 would be the purchasing class.</p> <p>16 Q So is it your understanding reviewing</p> <p>17 this e-mail and the attachments that Ms. Rice was</p> <p>18 asking you and Mr. Storey to provide her with the</p> <p>19 missing information about the inventory class or</p> <p>20 purchasing class for particular items?</p> <p>21 A Yes.</p> <p>22 Q And is it also your understanding that</p> <p>23 Blount Memorial provided Ms. Rice with that</p> <p>24 information?</p> <p>25 A Yes.</p> | <p>79</p> <p>1 because there are several places in Lawson, IC11,</p> <p>2 IC12, IC13, where to have an item set up in the Item</p> <p>3 Master List correctly you have to populate each of</p> <p>4 those fields under those screens, and she was telling</p> <p>5 us which fields were required in order to do that</p> <p>6 through Microsoft add-ins.</p> <p>7 Q And this information she was providing to</p> <p>8 you was information that you would use to add items</p> <p>9 to the Item Master after it went live January of</p> <p>10 2009?</p> <p>11 A Yes.</p> <p>12 Q Before it went live, she was the</p> <p>13 individual who actually added the items to the Item</p> <p>14 Master, correct?</p> <p>15 A That is correct.</p> <p>16 Q Now you mentioned in your testimony that</p> <p>17 Microsoft add-ins was a program that you used to load</p> <p>18 in information to the Item Master?</p> <p>19 A Uh-huh.</p> <p>20 Q Can you describe for me how Microsoft</p> <p>21 add-ins are used to populate the Item Master?</p> <p>22 A We haven't been using it. We need to,</p> <p>23 but we haven't been using it. So I really can't tell</p> <p>24 you anything about it. I would have to go back</p> <p>25 through all of my notes to even begin to do it. We</p> |
| <p>78</p> <p>1 Q And finally is it your understanding that</p> <p>2 Ms. Rice then loaded the category information for</p> <p>3 each of these items that's contained in the inventory</p> <p>4 classes and purchasing classes into the Item Master?</p> <p>5 A Yes.</p> <p>6 MR. STRAPP: Blount 11.</p> <p>7 (Blount Deposition Exhibit No. 11 was marked for the</p> <p>8 record.)</p> <p>9 BY MR. STRAPP:</p> <p>10 Q You've been handed now what has been</p> <p>11 marked as Blount Exhibit 11. The Bates Number b817</p> <p>12 through B827. This is an e-mail and attachment from</p> <p>13 Katrina Rice to you dated December 4, 2008. The</p> <p>14 subject is Item Master load template.</p> <p>15 Can you describe for me, please, what --</p> <p>16 first let me ask you: Are you familiar with this</p> <p>17 e-mail and the attachment?</p> <p>18 A Yes.</p> <p>19 Q And can you describe for me what it is,</p> <p>20 please.</p> <p>21 A It's just simply a guide for us to go by.</p> <p>22 We can upload mass quantities of items to the Item</p> <p>23 Master List, the Microsoft add-ins, and these are --</p> <p>24 she's explaining what the required fields are when we</p> <p>25 go to do that so that we would not miss anything</p> | <p>80</p> <p>1 just haven't done it.</p> <p>2 Everything we've added we've done it in a</p> <p>3 manual situation one item at a time up to this point.</p> <p>4 Q Do you -- does Blount use this Item</p> <p>5 Master upload template provided by Ms. Rice from</p> <p>6 Lawson when it adds information into the Item Master?</p> <p>7 A No, not up to this point we have not.</p> <p>8 She just provided it, and we should have, but we</p> <p>9 haven't because we haven't done any mass uploads.</p> <p>10 It's all been individual items.</p> <p>11 Q Okay. Is there any plan in the future to</p> <p>12 use this template to add in items --</p> <p>13 A We would probably refer back to it just</p> <p>14 to make sure we had gotten it, each field, and, yes,</p> <p>15 we do plan on doing some -- some large uploads of</p> <p>16 items that have been ordered as specials that need to</p> <p>17 be added to the Item Master List because of the</p> <p>18 consistency in which they're ordered.</p> <p>19 Q When items have been added to the Item</p> <p>20 Master List over the past year, 2009, and the first</p> <p>21 few months of 2010, do the individuals loading the</p> <p>22 information to the Item Master refer back to the</p> <p>23 upload template that was provided by Ms. Rice to make</p> <p>24 sure that they are entering the correct information?</p> <p>25 A Not that I'm aware of.</p> |

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| <p>81</p> <p>1 (Blount Deposition Exhibit No. 12 was marked for the</p> <p>2 record.)</p> <p>3 BY MR. STRAPP:</p> <p>4 Q You have now Blount Exhibit 12, Bates</p> <p>5 numbers B214 through B222.</p> <p>6 A Yes.</p> <p>7 Q This is an e-mail from Katrina Rice with</p> <p>8 an attachment. It's dated December 31st, 2008, and</p> <p>9 it was sent to you.</p> <p>10 Are you familiar with this e-mail and</p> <p>11 attachment?</p> <p>12 A Yes.</p> <p>13 Q Could you describe for me what it is,</p> <p>14 please.</p> <p>15 A Yes. We had to manually go in and</p> <p>16 populate the cost so that there would be pricing in</p> <p>17 Lawson when we went live, and we apparently must have</p> <p>18 missed some items when we went through the first</p> <p>19 time, and she was letting us know that we either had</p> <p>20 not had a contract tied to the item or the last cost</p> <p>21 had not been calculated for 277 items, and she let us</p> <p>22 know which ones they were so we could go back and go</p> <p>23 through and fix those and provide her the last cost</p> <p>24 paid so that she could load that in there.</p> <p>25 Q Is it your understanding that Blount</p> | <p>83</p> <p>1 the record.</p> <p>2 The time is 11:39.,</p> <p>3 (Blount Deposition Exhibit No. 13 was marked for the</p> <p>4 record.)</p> <p>5 BY MR. STRAPP:</p> <p>6 Q You now have in front of you Blount</p> <p>7 Exhibit 13, Bates Numbered B3039 through B3071.</p> <p>8 This is an e-mail with attachments sent</p> <p>9 by Katrina Rice to you and dated September 9th, 2008.</p> <p>10 The subject is RSS request for training.</p> <p>11 Can you take a moment to review the</p> <p>12 e-mail, please.</p> <p>13 Are you familiar with this document?</p> <p>14 A Yes.</p> <p>15 Q Can you describe for me what it is,</p> <p>16 please.</p> <p>17 A Katrina was assisting us and trying to</p> <p>18 figure out how we were going to train all 600 users</p> <p>19 in a time frame and how long the classes were going</p> <p>20 to be, and this was -- she had successfully used</p> <p>21 these training scenarios at other facilities I</p> <p>22 assumed, and she sent it to us to use as an example.</p> <p>23 My purchasing manager and myself didn't</p> <p>24 care for it. So we made our own, which is what was</p> <p>25 in the other document we looked at previously.</p> |
| <p>82</p> <p>1 provided Ms. Rice with the last cost information for</p> <p>2 those 277 items?</p> <p>3 A Yes.</p> <p>4 Q And that -- then Ms. Rice loaded that</p> <p>5 last cost information on to the Item Master?</p> <p>6 A Yes.</p> <p>7 Q When -- when a contract is entered from a</p> <p>8 vendor into the system, does the cost associated with</p> <p>9 the particular item from the vendor automatically get</p> <p>10 pulled into the Item Master?</p> <p>11 A Yes. If a contract is tied to that</p> <p>12 particular item, yes, it will. If there is no</p> <p>13 contract tied to the item, the system pulls it from</p> <p>14 the last price paid.</p> <p>15 Q And where does -- how does the system</p> <p>16 pull in the last price paid? Where does that come</p> <p>17 from? Does that come from the purchasing module?</p> <p>18 A Yes.</p> <p>19 MR. STRAPP: Okay. Let's go off</p> <p>20 the record, please.</p> <p>21 THE VIDEOGRAPHER: Going off the</p> <p>22 record.</p> <p>23 The time is 11:24.,</p> <p>24 (Brief pause.)</p> <p>25 THE VIDEOGRAPHER: We're back on</p> | <p>84</p> <p>1 So we didn't actually use this. This was</p> <p>2 her version of training. We decided it probably</p> <p>3 wasn't the best way to communicate with our users,</p> <p>4 and so we made our own.</p> <p>5 Q Okay. Do you see in this e-mail here she</p> <p>6 has a list of three recommendations on how Blount</p> <p>7 should go about training its requesters, the 600</p> <p>8 individuals that will be using the system?</p> <p>9 A Yes.</p> <p>10 Q Can you read through each of those</p> <p>11 recommendations and let me know whether or not Blount</p> <p>12 actually followed her recommendations on how to</p> <p>13 train.</p> <p>14 A Do you want me just to read exactly</p> <p>15 what's on here?</p> <p>16 Q Yes. Why don't we just go through them</p> <p>17 one by one.</p> <p>18 A Okay.</p> <p>19 Q The first one if you can --</p> <p>20 A Okay. Send out an e-mail in mid November</p> <p>21 to all the requesters letting them know that training</p> <p>22 classes will begin the end of November or December</p> <p>23 and that the training is mandatory for the requesters</p> <p>24 to be able to get their user ID, to order supplies</p> <p>25 after go-live in January of 2009.</p> |

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| <p>85</p> <p>1 Q Okay. And you can stop there. Was an</p> <p>2 e-mail sent out to the requesters in November letting</p> <p>3 them know about the training process?</p> <p>4 A Yes.</p> <p>5 Q And did those training classes take</p> <p>6 place, was it, in December of '08?</p> <p>7 A I think it was probably at the end of</p> <p>8 November of '08 as well also through the beginning of</p> <p>9 December of '08, and it actually took place in this</p> <p>10 room.</p> <p>11 Q Okay. And was that training provided to</p> <p>12 all the users of Requisitions Self-Service?</p> <p>13 A Yes.</p> <p>14 Q And who conducted the training?</p> <p>15 A I did and my purchasing manager, Rob</p> <p>16 Storey. All of it.</p> <p>17 Q And you had been trained on how to train</p> <p>18 others by Katrina?</p> <p>19 A Yes.</p> <p>20 Q Okay. What -- what do those classes</p> <p>21 entail? What did you present in those classes?</p> <p>22 Was it that presentation we looked at --</p> <p>23 A The presentation that I developed.</p> <p>24 Q -- in Blount Exhibit 2?</p> <p>25 A Yes. That's it. Blount Exhibit 2. We</p> | <p>87</p> <p>1 handles inventory as well.</p> <p>2 (Blount Deposition Exhibit No. 14 was marked for the</p> <p>3 record.)</p> <p>4 BY MR. STRAPP:</p> <p>5 Q Okay. You now have in front of Blount</p> <p>6 Exhibit 14. Are you familiar with this document?</p> <p>7 A Yes.</p> <p>8 Q What is this document?</p> <p>9 A It was a test script that Katrina showed</p> <p>10 the Super Users as we learned to do Requisitions</p> <p>11 Self-Service.</p> <p>12 Q Okay. So this is a script prepared by</p> <p>13 Lawson on -- on using Requisitions Self-Service, and</p> <p>14 Ms. Rice trained you and the other Super Users at</p> <p>15 Blount on how to train you and the other users at</p> <p>16 Blount on how to use this script?</p> <p>17 A Yes.</p> <p>18 Q And specifically what is this script --</p> <p>19 what -- what is this script created for?</p> <p>20 A It's to walk you through when you log-in</p> <p>21 Requisitions Self-Service the different fields that</p> <p>22 are required and what you need to -- or if they are</p> <p>23 not required or what needs to be put in them and the</p> <p>24 different tabs that you can go in to search different</p> <p>25 ways through Requisitions Self-Service.</p> |
| <p>86</p> <p>1 did that packet. It was a power point. We put it up</p> <p>2 on this screen. We actually put the classes out</p> <p>3 on -- we have net learning so they could schedule to</p> <p>4 come, and they had to sign up for a class, and then</p> <p>5 they signed in a sheet when they came so that we knew</p> <p>6 that they had been here, and we had an IT person in</p> <p>7 here as well going ahead and issuing them their sign</p> <p>8 ons if they didn't already have one and got them</p> <p>9 trained and signed off, and then they left with a</p> <p>10 copy of that packet as well, and that packet is also</p> <p>11 available on our Lotus notes home page which is our</p> <p>12 e-mail system that they can go back and look at now</p> <p>13 if they need to to help them walk through</p> <p>14 Requisitions Self-Service.</p> <p>15 Q You mentioned earlier that Katrina Rice</p> <p>16 from Lawson trained the Super Users of the system?</p> <p>17 A Yes.</p> <p>18 Q That's you, Mr. Storey?</p> <p>19 A Yes.</p> <p>20 Q Purchasing agents?</p> <p>21 A Purchasing agents.</p> <p>22 Q And who else?</p> <p>23 A And Cheryl Smith. She's our contract</p> <p>24 analyst, and John Watson does inventory control and</p> <p>25 Alan Archer is my Assistant Director, and he also</p> | <p>88</p> <p>1 It kind of walks you through setting up a</p> <p>2 requisition and the different tabs and the functions</p> <p>3 of those tabs on that requisition.</p> <p>4 Q Is this a script that was used by Blount</p> <p>5 Memorial when it was training others -- that you used</p> <p>6 when training others on creating requisition?</p> <p>7 A No.</p> <p>8 Q And why is that?</p> <p>9 A Because it's very lengthy. It's kind of</p> <p>10 hard to understand, and we really scaled back, and</p> <p>11 what we trained with was Blount Exhibit 2, yes.</p> <p>12 Q So the detailed script provided by Lawson</p> <p>13 was something that was valuable for the Super Users,</p> <p>14 but sort of a higher level more -- I would say --</p> <p>15 dumbed down version was what was presented to</p> <p>16 the --</p> <p>17 A Absolutely.</p> <p>18 Q -- to the requesters?</p> <p>19 A Yes.</p> <p>20 Q Okay. Did the version and training</p> <p>21 provided to the other users encompass the</p> <p>22 functionality that they needed to use Requisitions</p> <p>23 Self-Service as a shopping function?</p> <p>24 A Yes.</p> <p>25 Q And it also included training on how to</p> |

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| <p>89</p> <p>1 use the search functionality?</p> <p>2 A Yes.</p> <p>3 Q And it also created training -- it</p> <p>4 included training on how to create requisitions?</p> <p>5 A Yes.</p> <p>6 Q And how to approve requisitions?</p> <p>7 A We actually handled that in a different</p> <p>8 class with our supervisors and stuff, or we -- we</p> <p>9 touched -- I think there actually may have been a</p> <p>10 page at the back of Blount Exhibit 2 that went</p> <p>11 through how to approve something because we would</p> <p>12 have a mix of people in our classes, and some were</p> <p>13 people that were supervisors or department heads that</p> <p>14 would have to go in and approve requisitions.</p> <p>15 So we explained that to them at the end</p> <p>16 of the class if they were somebody that approved it,</p> <p>17 where to go and how to get that.</p> <p>18 (Blount Deposition Exhibit No. 15 was marked for the</p> <p>19 record.)</p> <p>20 BY MR. STRAPP:</p> <p>21 Q You now have Blount Exhibit 15, and this</p> <p>22 has Bates Stamp B3020 through B3031. Please take a</p> <p>23 moment to review the document.</p> <p>24 Is this a document that you're familiar</p> <p>25 with?</p> | <p>91</p> <p>1 A Yes.</p> <p>2 Q And there are steps here for process flow</p> <p>3 on how to set up the Item Master, correct?</p> <p>4 A Yes.</p> <p>5 Q Is this information -- how was this</p> <p>6 information utilized by Blount?</p> <p>7 A I don't know that it really was except</p> <p>8 for just probably helping the Super Users kind of get</p> <p>9 an overview of system and understand how the</p> <p>10 spreadsheets we were providing would flow through the</p> <p>11 system and the steps that were provided.</p> <p>12 We probably looked at it just as an</p> <p>13 overview to get a general understanding of the</p> <p>14 system, but other than that, I don't really think we</p> <p>15 probably used it for much.</p> <p>16 (Blount Deposition Exhibit No. 16 was marked for the</p> <p>17 record.)</p> <p>18 BY MR. STRAPP:</p> <p>19 Q You now have in front of you Blount</p> <p>20 Exhibit 16, Bates Numbered B2243 through B2253.</p> <p>21 This is an e-mail and attachment from</p> <p>22 Katrina Rice to Rob Storey copying you, dated</p> <p>23 September 10th, 2008, and it attaches something</p> <p>24 called a process flow functional specification.</p> <p>25 Can you describe for me -- first of all,</p> |
| <p>90</p> <p>1 A I have seen this document, yes.</p> <p>2 Q And can you describe to me what it is,</p> <p>3 please.</p> <p>4 A It's just basically an overview diagram</p> <p>5 of -- kind of from the starting of the implementation</p> <p>6 in how to set up the items and kind of the flow of</p> <p>7 data through Lawson. It's kind of just an overview</p> <p>8 of that.</p> <p>9 Q Is this a document that was prepared by</p> <p>10 Katrina Rice from Lawson?</p> <p>11 A Yes. Well, or somebody at Lawson. I'm</p> <p>12 not sure it was prepared by her or someone at Lawson.</p> <p>13 Q Did Ms. Rice present this document or</p> <p>14 this presentation to you?</p> <p>15 A Yes. If I remember correctly, it was</p> <p>16 e-mailed to us just to try to help us understand how</p> <p>17 data flowed through the system.</p> <p>18 Q Was -- in addition to sending this</p> <p>19 presentation to you by e-mail, did Ms. Rice actually</p> <p>20 give you a live presentation on this document?</p> <p>21 A I'm not sure. I don't recall.</p> <p>22 Q Okay. Do you see on page B320 -- 3021,</p> <p>23 the second page of the document, there is a slide</p> <p>24 that's entitled process diagram for Item Master set</p> <p>25 up.</p> | <p>92</p> <p>1 are you familiar with document?</p> <p>2 A I don't remember this one. I mean, I'm</p> <p>3 sure I looked at it, but I don't remember it.</p> <p>4 Q Do you know what a process flow means</p> <p>5 here?</p> <p>6 A Yes.</p> <p>7 Q And what is that?</p> <p>8 A Process flow is how the system -- it</p> <p>9 flows for approval. It's how you know -- for</p> <p>10 example, if Rob, who works for me, puts in a</p> <p>11 requisition and it's over \$1,000, it's going to come</p> <p>12 to me for approval. If my approval limit is \$2,500,</p> <p>13 if his requisition was for 5, I'm going to approve</p> <p>14 it, and then it's going to go on to my supervisor,</p> <p>15 John Hanks, for his approval.</p> <p>16 Process flow allows you to set those</p> <p>17 different dollar approval levels up and routes the</p> <p>18 requisition based on your department, who your</p> <p>19 supervisor is, and then we also have process flows</p> <p>20 set up for capital whether it being an approved</p> <p>21 capital budgeted item or an emergency capital. Those</p> <p>22 are unique process flows depending on -- it looks at</p> <p>23 the account number and activity code and routes based</p> <p>24 on those things. That's what process flow does is</p> <p>25 routes it to the correct places for approval.</p> |

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| <p>93</p> <p>1 THE VIDEOGRAPHER: This is the end 2 of videotape number one of the deposition 3 of Kristy Oliver. 4 The time is 11:52., 5 (Lunch recess.) 6 THE VIDEOGRAPHER: This is the 7 beginning of videotape number two of the 8 deposition of Kristy Oliver. 9 The time is 12:53., 10 BY MR. STRAPP: 11 Q Ms. Oliver, we're going to be conducting 12 a demonstration now, and could you explain for me -- 13 to me whether we're going to be using a live version 14 of the Lawson Requisitions Self-Service module that 15 Blount uses? 16 A Yes. We'll be actually in our production 17 module which is live. 18 Q Okay. And the item data and the item in 19 the Item Master would be the same item that another 20 user from Blount would use as well? 21 A Absolutely. Yes. 22 Q When we walk through this demonstration, 23 if you have any questions, let me know. 24 A Okay. 25 Q Could you please bring -- we're going to</p> | <p>95</p> <p>1 match. You can't -- you know, obviously searching 2 with less is more. You can get more. 3 Q Could you do a keyword search for an item 4 that is available on the Item Master, is not in stock 5 and for which you believe there might be multiple 6 vendors. 7 A Yes. And cath is also part of the 8 description as well as a purchasing class. So it's 9 going to pull it either way. 10 Q Well, let's start with catheter then. 11 A Okay. And then now you see all the 12 things that are loaded in our Item Master List that 13 have the word catheter in them. 14 Q Okay. If it has a check -- sorry. Go 15 ahead. 16 A And, yes. If it has a checkmark, that 17 means it's a non-stocked item, and if it has a 18 checkmark and a plus sign, that means it's a stock 19 item from our storeroom. 20 Okay. And so I had found -- 21 Q Now the manufacturer code that's 22 associated with these items that's the -- a code for 23 the manufacturer of the catheter? 24 A Yes. Yes. This you can see these -- 25 this one right here is from Cook Medical, and so it's</p> |
| <p>94</p> <p>1 start the demonstration now. 2 MR. STRAPP: So let's start the 3 video feed from the computer screen -- 4 THE WITNESS: You're ready? 5 MR. STRAPP: -- that Ms. Oliver 6 will be using. 7 BY MR. STRAPP: 8 Q Could you please log-in to the Lawson 9 portal. 10 A Here it is. Lawson ERP. 11 Q And could you select the Requisitions 12 Self-Service menu. 13 A Yes. 14 Q And choose shopping. Under the find shop 15 tab, please select search catalog. 16 Could you select the advanced search tab. 17 A It is -- we have updated it, and now it 18 just goes -- it's automatic advanced search. There 19 is no other tab. They have changed it with the 20 patch. We don't really know where the tab went. 21 Q Okay. So the search capabilities on this 22 screen are the same search capabilities that you had 23 in the advanced search tab? 24 A Yes. It searches anything and everything 25 that's loaded about that item. You just have to</p> | <p>96</p> <p>1 a four digit where we had four spaces to abbreviate 2 the manufacturer's name, and so it's in there as 3 Cook. And let me just click right (indicating) here, 4 and this will let me know. I need to make sure I'm 5 getting it -- yes, we get it directly from Cook. 6 Q Okay. So you're selecting here a 7 catheter that is manufactured by Cook? 8 A Yes. And we order it direct from Cook. 9 Q Okay. So it's a non-stock item? 10 A Yes. 11 Q Now could you go back to the screen that 12 we were. Actually before you -- could you do another 13 search now that includes catheter and Cook; catheter, 14 space, cook and see what comes up. 15 A It won't -- ours doesn't search that way 16 where you can put in multiple spaces like that. It 17 has to match something that's in there for that item. 18 So you see that it's giving you a 19 suggestion search by either catheter or Cook. 20 Q Okay. So let's go back to the catheter 21 search. 22 A Okay. 23 Q And let's select that same catheter from 24 Cook so we can see the item detail. And this 25 information includes a -- can you scroll down on the</p> |

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| <p>97</p> <p>1 screen here.</p> <p>2 A Uh-huh.</p> <p>3 Q So this has a vendor item number as well?</p> <p>4 A Yes.</p> <p>5 Q Do you see that at the bottom?</p> <p>6 A Yes.</p> <p>7 Q Does that vendor item number indicate who</p> <p>8 the vendor is for this particular catheter?</p> <p>9 A Yes. That's -- that is our -- that is</p> <p>10 the manufacturer item number that when we place the</p> <p>11 order that's the number that the -- that they would</p> <p>12 recognize. That is -- that is the product number.</p> <p>13 Q And if --</p> <p>14 A Up here is the -- that right there is</p> <p>15 actually our vendor number that's in our system.</p> <p>16 It's our vendor assigned number.</p> <p>17 Q When you order this product, is it</p> <p>18 ordered from Cook directly?</p> <p>19 A Yes. Yes. And you can tell that by the</p> <p>20 source vendor. In this situation, the manufacturer</p> <p>21 and the source vendor are the same because we order</p> <p>22 it direct.</p> <p>23 Q Okay. Is there an expiration date field</p> <p>24 here? I don't think there is, right?</p> <p>25 A No.</p> | <p>99</p> <p>1 the manufacturer?</p> <p>2 A Yes. No, it's not Cook. It's a</p> <p>3 different one.</p> <p>4 Q Okay.</p> <p>5 A And you can see in this situation -- I'm</p> <p>6 sorry. I was just going to say this right here is</p> <p>7 the manufacturer number, the 412, but since we get it</p> <p>8 from Seneca, this is Seneca's vendor number. This is</p> <p>9 their add code.</p> <p>10 So when we actually place this order, we</p> <p>11 ordered it through Seneca with this number.</p> <p>12 Q Okay. Now, let's add this to the</p> <p>13 shopping cart.</p> <p>14 A Okay.</p> <p>15 Q And could you delete that first item that</p> <p>16 we had selected from the shopping cart.</p> <p>17 A Yes.</p> <p>18 Q Now, can you go back to catalog search</p> <p>19 again, and let's search for a different item.</p> <p>20 A Okay. Agar is a word that's in the</p> <p>21 description of some of our lab products.</p> <p>22 Q Do you want to just search for maybe a</p> <p>23 beaker or any, you know, product that you might</p> <p>24 carry.</p> <p>25 A Let's just do glove.</p> |
| <p>98</p> <p>1 Q Okay. So the source vendor and the</p> <p>2 manufacturer are the same here? It's both Cook?</p> <p>3 A Yes.</p> <p>4 Q All right. Let's add this item to the</p> <p>5 shopping cart.</p> <p>6 A And now we have ordered one, and we order</p> <p>7 those by the each.</p> <p>8 Q Now let's run the search again for</p> <p>9 catheter.</p> <p>10 A Okay.</p> <p>11 Q And let's select a catheter from a</p> <p>12 different manufacturer and vendor that's a non-stock</p> <p>13 item?</p> <p>14 A This one right here is one I'm pretty</p> <p>15 sure. Let's see where we get this from.</p> <p>16 Q So this is a catheter -- the source</p> <p>17 vendor is Seneca Medical?</p> <p>18 A Yes.</p> <p>19 Q And whose the manufacturer here?</p> <p>20 A I'm not sure what c-o-l-o. I would have</p> <p>21 to go and find that. I'm not sure what that stands</p> <p>22 for, but that's our manufacturer code abbreviation,</p> <p>23 but we get it through our med search distributor</p> <p>24 Seneca.</p> <p>25 Q And you know that it's not Cook, though,</p> | <p>100</p> <p>1 Q Glove. All right. Let's select a</p> <p>2 non-stock glove here.</p> <p>3 Now this is a glove that's carried by</p> <p>4 the -- the vendor is Cardinal Health?</p> <p>5 A Yes.</p> <p>6 Q And it seems like the manufacturer is</p> <p>7 also Cardinal; is that right?</p> <p>8 A Yes, and it's one of their divisions, and</p> <p>9 I'd have to look to see what that abbreviation stood</p> <p>10 for, the c-h-l-t.</p> <p>11 Q Okay. Could you add this to the shopping</p> <p>12 cart, please.</p> <p>13 A Yes.</p> <p>14 Q And now let's checkout from the shopping</p> <p>15 cart here with the two items.</p> <p>16 Okay. What is that item?</p> <p>17 A I'm sorry.</p> <p>18 Q That's okay.</p> <p>19 A It's just a box. You click okay, and</p> <p>20 it -- what it does is it flags process flow to see if</p> <p>21 this item is going to be over or under my approval</p> <p>22 limits, and it would route it based on my set up, and</p> <p>23 because this is under my dollar of approved limit, it</p> <p>24 has now gone out, and it's sitting in PO 100 ready</p> <p>25 and waiting to create a purchase order.</p> |

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| <p>101</p> <p>1 Q Okay. Let's go back to the Lawson portal</p> <p>2 window now.</p> <p>3 A Okay.</p> <p>4 Q Under the in basket -- is there an in</p> <p>5 basket here?</p> <p>6 A Yes.</p> <p>7 Q Yes. Let's select -- yes, select the</p> <p>8 approval rule, and can you select the requisition</p> <p>9 that was created?</p> <p>10 A No. It's already approved. I did it,</p> <p>11 and it's already gone through. These are some that</p> <p>12 are waiting for my approval, though.</p> <p>13 Q When you create a requisition yourself,</p> <p>14 it's automatically approved?</p> <p>15 A It is because it's under my limit. If it</p> <p>16 was over a \$5,000 -- maybe it's 50,000. I don't know</p> <p>17 what my set up is. It's a lot because I have to do</p> <p>18 special things to cover when other people are out of</p> <p>19 town. And so if I had done a capital -- it had been</p> <p>20 capital, it would have routed to my boss for approval</p> <p>21 because all capital -- it requires division head</p> <p>22 approval.</p> <p>23 Q Is it possible for you to log-in as a --</p> <p>24 you know, a lower level user who would need to get</p> <p>25 approval from you and then we could run through the</p> | <p>103</p> <p>1 I make a phone call and find out?</p> <p>2 Q You know what, let's skip that step for a</p> <p>3 minute.</p> <p>4 A Okay.</p> <p>5 Q And let's go back in -- log-in back in as</p> <p>6 yourself.</p> <p>7 A I'm sorry. We just don't know each</p> <p>8 other's passwords.</p> <p>9 Q No, that's okay.</p> <p>10 So just to review, though, when you</p> <p>11 create a requisition in Requisitions Self-Service,</p> <p>12 the system will automatically process your</p> <p>13 requisition to generate a purchase order for the</p> <p>14 selected items?</p> <p>15 A Yes.</p> <p>16 Q That's fine. Let's then move onto</p> <p>17 submitting a purchase order for the requisitioned</p> <p>18 items that you selected?</p> <p>19 A That I just did.</p> <p>20 Q Yes. And to do that, are you going to</p> <p>21 enter PO 100?</p> <p>22 A Yes, I am. This is a job that normally</p> <p>23 runs automatic at set times, and I'm going to force</p> <p>24 it to run for the particular buyer that's associated</p> <p>25 with my department, and that should produce a</p> |
| <p>102</p> <p>1 requisition request from a lower level user and then</p> <p>2 you could show us the process of approving that</p> <p>3 level -- that requisition.</p> <p>4 A Do you want to look at one of these?</p> <p>5 Q Well, yes, let's -- I mean, I would be</p> <p>6 happy to look at that, but I just want --</p> <p>7 A I mean, this is a requisition that was</p> <p>8 just -- you need to see the requisition created</p> <p>9 though, don't you?</p> <p>10 Q Yes. I want to see the one that was</p> <p>11 created by you.</p> <p>12 MR. MCDONALD: Yes, let's not do</p> <p>13 that. We don't know what those are.</p> <p>14 THE WITNESS: Okay.</p> <p>15 BY MR. STRAPP:</p> <p>16 Q Do you have the capability to log-in as</p> <p>17 someone else?</p> <p>18 A No. I'm sitting here -- I'm not supposed</p> <p>19 to. I'm sitting here trying to think if I can</p> <p>20 remember a log-on that I could do. You're not going</p> <p>21 to -- the thing is -- let me see if I can do this.</p> <p>22 I'll have to log out and try to log back in and see.</p> <p>23 Q Let's log out. We'll run through the</p> <p>24 same thing we just did.</p> <p>25 A Okay. I'm not sure I can remember. Can</p> | <p>104</p> <p>1 purchase order for what I just did.</p> <p>2 Q Okay.</p> <p>3 A That's what I hope happens.</p> <p>4 Q So just explain for me, too, what you're</p> <p>5 doing here.</p> <p>6 A Okay. You can just name it anything you</p> <p>7 want. No other jobs can be named that that have</p> <p>8 previously been run, and it will tell me in a minute</p> <p>9 if this job already exists.</p> <p>10 We usually just make -- any time we go in</p> <p>11 and force a report like this, we make it unique to</p> <p>12 us, which is why I put my initials at the end of it.</p> <p>13 And then you go in -- the system requires -- we only</p> <p>14 have one company because we're a standalone facility.</p> <p>15 We're not a multi-hospital system.</p> <p>16 So we have one company, and it's Blount</p> <p>17 Memorial, and so that's the one I picked. I have</p> <p>18 picked the initials of my buyer that is associated</p> <p>19 with the department that the requisition I just put</p> <p>20 in was charged to, 6750, which is materials</p> <p>21 management, and Donny Blair is in charge of that, and</p> <p>22 then I just need to change this to yes. Leave this</p> <p>23 no. Leave this no and --</p> <p>24 Q If you have the release purchase order</p> <p>25 set to no, does that mean the purchase order won't</p> |

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| <p>105</p> <p>1 get released?</p> <p>2 A It will not get released. That is a rule</p> <p>3 that we have for our organization. We go in and</p> <p>4 manually release them all because we want each</p> <p>5 purchasing agent to review it before we send it out.</p> <p>6 We're looking for errors in case somebody</p> <p>7 has ordered 800 of something when they meant to order</p> <p>8 eight, and something is going to stand out to us when</p> <p>9 we look at the volume -- you know we look at the</p> <p>10 dollar amount or something. That's why we do it.</p> <p>11 It's just our personal rule here.</p> <p>12 Q So when we created this purchase order</p> <p>13 here, it's not going to actually be released until we</p> <p>14 go back and manually --</p> <p>15 A I'm going to go back into it, and I'll</p> <p>16 release it.</p> <p>17 Q Okay.</p> <p>18 A And we have a maximum number of lines we</p> <p>19 like on POs. It's 30. It just makes it easier for</p> <p>20 our receiving department, and everything else you</p> <p>21 leave blank except for the default days. They've</p> <p>22 told us to put three. I have no idea why.</p> <p>23 Q Now --</p> <p>24 A And now I just went to more filters, and</p> <p>25 put DB for Donny Blair as the buyer because I'm just</p> | <p>107</p> <p>1 purchase order has been added, and now the purchase</p> <p>2 order has been submitted?</p> <p>3 A Yes. Yes.</p> <p>4 Q Okay.</p> <p>5 A And then --</p> <p>6 Q And you select the print manager now to</p> <p>7 review the purchase order?</p> <p>8 A Yes. And I picked the job that was --</p> <p>9 the print job that was created for the purchase</p> <p>10 orders that are out here for Donny, and then now I'm</p> <p>11 going to print them.</p> <p>12 Q So is what's up on the screen now the</p> <p>13 requisition we just created?</p> <p>14 A Yes. Let me see how many it created.</p> <p>15 Oh, we did the gloves from Cardinal. Right there are</p> <p>16 the gloves that we did.</p> <p>17 Q That's one purchase order?</p> <p>18 A Yes. This (indicating) was not us.</p> <p>19 This -- we're going to pick up actual real jobs that</p> <p>20 are out here (indicating) in the job queue, and we</p> <p>21 did that (indicating) one. That was the catheter</p> <p>22 that we did.</p> <p>23 Q That was the catheter that we ordered.</p> <p>24 Now -- so the two -- the two purchase</p> <p>25 orders -- two purchase orders were created from the</p> |
| <p>106</p> <p>1 going to run his.</p> <p>2 Q How do we verify that we're creating a</p> <p>3 purchase order for the correct requisition, the one</p> <p>4 we just did?</p> <p>5 A It's going to create it for everything</p> <p>6 out there that's -- all the departments that are</p> <p>7 associated with Donny are -- all of those are going</p> <p>8 to be created when I run this, and it will include it</p> <p>9 because he is the buyer associated with the</p> <p>10 department that that requisition was charged to.</p> <p>11 Q So this will create a purchase order for</p> <p>12 the requisition that we just generated?</p> <p>13 A Yes.</p> <p>14 Q Okay.</p> <p>15 A See, it told me the job already exists.</p> <p>16 So I'm just going to put, like, a number five after</p> <p>17 that and hit add again, and it says job added at the</p> <p>18 bottom on the message bar and you can see that, and</p> <p>19 then you hit submit, and then you just hit submit</p> <p>20 again.</p> <p>21 Q And what's that doing?</p> <p>22 A It's submitting the job, and it's going</p> <p>23 out and it's looking for requisitions that are</p> <p>24 associated with Donny.</p> <p>25 Q Okay. So the job -- in other words, the</p> | <p>108</p> <p>1 one requisition that had the two items that you --</p> <p>2 A Yes. You just saw -- this one created a</p> <p>3 purchase order, and the number is 21623. You can see</p> <p>4 that, and it came from Seneca, and then the other one</p> <p>5 that we did created purchase order 21621.</p> <p>6 Q Okay. Is there any sort of purchase</p> <p>7 order acknowledgment that we'll get once this is sent</p> <p>8 out, or you mentioned that that -- that depends</p> <p>9 vendor by vendor?</p> <p>10 A It depends. It just so happens that</p> <p>11 these two vendors are both EDI, I think. I can</p> <p>12 verify.</p> <p>13 Q So if we went now -- so the purchase</p> <p>14 orders -- they haven't been released yet?</p> <p>15 A No. So I can go --</p> <p>16 Q Can we see that now?</p> <p>17 A Yes. We don't even have to print this.</p> <p>18 Let me write this purchase order down, and we'll go</p> <p>19 out here and --</p> <p>20 Q Let's do that one and the catheter as</p> <p>21 well.</p> <p>22 A Okay. And so I'm going to close out of</p> <p>23 the print job that we're viewing right now, and now</p> <p>24 you go to PO 20 to release POs. This is where you</p> <p>25 maintain purchase orders at. And I inquire, and</p> |

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| <p>109</p> <p>1 there's my order for Cardinal Health, and you'll see</p> <p>2 it's the gloves that we just did and the status is</p> <p>3 still unreleased because the way I ran the report,</p> <p>4 and then now I can go in and release the purchase</p> <p>5 order, and now you see it has changed to release not</p> <p>6 issued.</p> <p>7 Q And let's go back in and release the --</p> <p>8 A The other one.</p> <p>9 Q -- the catheter?</p> <p>10 A And I just cleared the screen. And here</p> <p>11 are the cath -- here is the box of catheters that</p> <p>12 we've ordered, and I can release those.</p> <p>13 Q If we now go into PO 122 -- have you ever</p> <p>14 used that?</p> <p>15 A No.</p> <p>16 Q Okay. Can you try -- well, do you want</p> <p>17 to try it?</p> <p>18 A Sure. What is that?</p> <p>19 Q I think this should show a -- this may</p> <p>20 show a purchase order acknowledgment. It might not,</p> <p>21 but let's check.</p> <p>22 Now, let's put in -- just make up some</p> <p>23 data for the job name and job description. Just say,</p> <p>24 you know, catheter or whatever you want.</p> <p>25 Make up a file name here (indicating)</p> | <p>111</p> <p>1 anything through that for our EDI vendors.</p> <p>2 Q Can you tell through that screen we just</p> <p>3 created, the transmitted PO acknowledgment, whether</p> <p>4 or not the item we just ordered is available in</p> <p>5 inventory?</p> <p>6 A Uh-uh. No.</p> <p>7 Q Okay. Let's go back to Requisitions</p> <p>8 Self-Service now.</p> <p>9 A Okay. To shopping?</p> <p>10 Q To shopping and then to search catalog</p> <p>11 under find shop.</p> <p>12 Okay. What I want to do here is put in</p> <p>13 the search for a manufacturer whose items will be --</p> <p>14 the same type of item for the manufacturer will be</p> <p>15 available both from one vendor like Seneca and then a</p> <p>16 second vendor like the manufacturer itself?</p> <p>17 A I don't think it's going to pull it if I</p> <p>18 search by the vendor, though. Because it's only</p> <p>19 going to pull for that one. It's not going to pull</p> <p>20 the other one.</p> <p>21 Q What if we do a search by, like, Johnson</p> <p>22 & Johnson or something like that, or, you know, a</p> <p>23 manufacturer that's going to have items that are</p> <p>24 available from two sources?</p> <p>25 A Let's see if Cordis pulls something.</p> |
| <p>110</p> <p>1 too. Now select submit.</p> <p>2 A I think I have to maybe add first. Most</p> <p>3 of the time you add, but since I've never been</p> <p>4 here -- there's my report.</p> <p>5 Q So this is a transmitted purchase order</p> <p>6 acknowledgment? Does --</p> <p>7 A It's because the -- this is why we don't</p> <p>8 go here. Ours are set on an auto job for everything</p> <p>9 that's set up EDI, and this particular vendor we're</p> <p>10 ordering it from Seneca which is an EDI vendor, and</p> <p>11 the job will go at 1:30.,</p> <p>12 So what we can do is -- if you notice the</p> <p>13 status of that purchase order was release not</p> <p>14 issued --</p> <p>15 Q Yes.</p> <p>16 A -- and after we go in there we can look</p> <p>17 at it after 1:30 and you'll see it transmitted. It</p> <p>18 will change that status from release not issued to</p> <p>19 transmitted, and that means -- that's kind of what we</p> <p>20 go off our purchase order acknowledgment, and because</p> <p>21 we go with the third-party, GHX, for our EDI, we</p> <p>22 monitor that order via MY GHX Page, but I don't have</p> <p>23 My GHX Page. I would have to get Donny's sign-in to</p> <p>24 go there, but that is -- basically his acknowledgment</p> <p>25 is that page, and they monitor any backorders or</p> | <p>112</p> <p>1 Q Can we do a search by manufacturer code?</p> <p>2 A Yes.</p> <p>3 Q Let's do search by manufacturer code for</p> <p>4 a manufacturer that you think might be -- whose items</p> <p>5 might be available from someone like Seneca and also</p> <p>6 from a different vendor.</p> <p>7 A I thought that would pull DeRoyal out and</p> <p>8 it didn't.</p> <p>9 Q What if we tried Cook or something like</p> <p>10 that?</p> <p>11 A It won't pull -- our search functions</p> <p>12 don't work by looking for that manufacturer code.</p> <p>13 It's pulling that item because Cook is in the</p> <p>14 description. You can pull by our number, by word in</p> <p>15 the description or by the item number itself, but our</p> <p>16 search functions do not work where you can pull it by</p> <p>17 a manufacturer code like that.</p> <p>18 Q So if you entered Johnson --</p> <p>19 A I don't think it's going to pull anything</p> <p>20 unless there's something with that in the -- see, it</p> <p>21 would have pulled up -- you would have seen the drop</p> <p>22 down menu with the word Johnson in it, and it's not.</p> <p>23 Q What about J&J? Would that work?</p> <p>24 A J&J I can try that, yes. See, it's</p> <p>25 pulled everything that has the letter J in it by</p> |

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| <p>113</p> <p>1 itself.</p> <p>2 Q Okay. Let's choose -- let's do a search</p> <p>3 for an item that is available -- well, we already did</p> <p>4 a search for an item that was available for multiple</p> <p>5 vendors. We did the catheter search. Let's --</p> <p>6 MR. GRAHAM: For the record,</p> <p>7 objection to the extent that those were</p> <p>8 the same item from a vendor.</p> <p>9 BY MR. STRAPP:</p> <p>10 Q All right. Let's do a search by -- for</p> <p>11 an item that you think is available from two</p> <p>12 different vendors, the same item that's -- the same</p> <p>13 or, you know, almost identical item that's available</p> <p>14 from two different vendors.</p> <p>15 A Okay. You have a biogel surgeon's glove.</p> <p>16 We could look at this (indicating) one. We get it</p> <p>17 from Seneca, and it's manufacturer is Molnlycke, and</p> <p>18 it's a biogel glove surgeons.</p> <p>19 Q Now let's see if we can find something --</p> <p>20 A Do you want me to add this to my shopping</p> <p>21 cart?</p> <p>22 Q No, you don't need to add it.</p> <p>23 A Okay. And then if you go back and do</p> <p>24 another glove search, and it's not exactly the same.</p> <p>25 Let me find some more surgeons gloves. Oh, these</p> | <p>115</p> <p>1 Q Is there -- let's see if there's a glove</p> <p>2 that's -- like inexpensive like this one that's</p> <p>3 available from someone else besides Cardinal.</p> <p>4 A Okay. Other one was a biogel that --</p> <p>5 Ansell glove that we get from Seneca, and here is a</p> <p>6 comparable surgeon's glove, and you can tell by the</p> <p>7 price that it is the comparable item that we get from</p> <p>8 Cardinal.</p> <p>9 Q Okay. So we've -- you have now -- you've</p> <p>10 done a search for glove, and you've selected two</p> <p>11 items from that search that are generally equivalent</p> <p>12 items that are available from two different vendors?</p> <p>13 A Yes. I mean, they are different</p> <p>14 manufactured gloves, but they are both surgeon's</p> <p>15 gloves that we buy both because doctors don't like</p> <p>16 the same gloves.</p> <p>17 Q But they are both gloves that are used by</p> <p>18 doctors in the surgery room?</p> <p>19 A Yes.</p> <p>20 Q Both about the same price?</p> <p>21 A Yes.</p> <p>22 Q Both about the same quality, probably?</p> <p>23 A Yes.</p> <p>24 Q Now let's go back to the find -- the</p> <p>25 catalog search. Let's start a new search here.</p> |
| <p>114</p> <p>1 natural Ansell gloves are surgeon's gloves as well.</p> <p>2 Right here (indicating) is one.</p> <p>3 Q This has the same vendor, but it's a</p> <p>4 different manufacturer?</p> <p>5 A Yes.</p> <p>6 Q Okay. Let's see if we find one on this</p> <p>7 list that's a non-stock item and it's also equivalent</p> <p>8 to this biogel surgeon glove. Comes from --</p> <p>9 A Not from Seneca.</p> <p>10 Q Not from Seneca?</p> <p>11 A Okay. Here you go. Here is a Cardinal</p> <p>12 one. That's a glove.</p> <p>13 Q So this is -- this is --</p> <p>14 A It's a surgeon's glove, a Positive Touch,</p> <p>15 yes.</p> <p>16 Q So is it generally equivalent to the</p> <p>17 biogel surgeon glove that we had selected before that</p> <p>18 had Seneca as the vendor?</p> <p>19 MR. GRAHAM: Objection. Calls for</p> <p>20 a legal conclusion.</p> <p>21 THE WITNESS: They are both gloves</p> <p>22 used in the OR. I wouldn't consider -- I</p> <p>23 mean, biogel is much more expensive that</p> <p>24 surgeons pick than this (indicating).</p> <p>25 BY MR. STRAPP:</p> | <p>116</p> <p>1 A All right.</p> <p>2 Q And can you do a search for one of the</p> <p>3 categories that you've defined through the inventory</p> <p>4 class or the purchase class?</p> <p>5 A Yes. These are all the products that our</p> <p>6 environmental service department orders, and we have</p> <p>7 them all characterized as clean for -- the</p> <p>8 abbreviation for clean.</p> <p>9 Q Let's -- so we've -- now, we've done a</p> <p>10 search for natural -- for items that match this</p> <p>11 category of clean. Let's choose a non-stock item</p> <p>12 from this search result. Let's -- a non-stock item.</p> <p>13 Okay. And this is a -- what is this NZ Clean?</p> <p>14 A EZ Clean.</p> <p>15 Q Oh, EZ Clean. It's some sort of cleaning</p> <p>16 product?</p> <p>17 A Yes. No. This is for -- no, this is</p> <p>18 not. This is -- let me go back. It pulled that</p> <p>19 because clean was in the description. Here is one</p> <p>20 that would have actually been like the mop. This is</p> <p>21 one that the purchasing class is clean. These are</p> <p>22 the mop heads that they use for environmental</p> <p>23 services. Our source vendor is Kelson and the</p> <p>24 manufacturer is -- I think it's Wilber, and I'm not</p> <p>25 sure.</p> |

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| <p>117</p> <p>1 Q Let's add this to the shopping cart.</p> <p>2 A Okay.</p> <p>3 Q Now let's go back to the search result</p> <p>4 page.</p> <p>5 A Okay.</p> <p>6 Q And let's search for clean again, the</p> <p>7 category clean. Let's select -- an item with a</p> <p>8 different manufacturer or vendor that's also in this</p> <p>9 category of the cleaning products.</p> <p>10 A This might not have been the best</p> <p>11 category if you're looking for differences like that</p> <p>12 simply because we buy just about all of our cleaning</p> <p>13 stuff from one vendor. That's how you get better</p> <p>14 pricing.</p> <p>15 Q Okay. Well, do you want to go to a</p> <p>16 category that might not have multiple vendors?</p> <p>17 A Let's do needles.</p> <p>18 Q So you have a category set up as needles?</p> <p>19 A Yes.</p> <p>20 Q And let's select a non-stock item from</p> <p>21 this category?</p> <p>22 A Okay.</p> <p>23 Q So the vendor is Bard Peripheral.</p> <p>24 A Yes.</p> <p>25 Q And they are also the manufacturer?</p> | <p>119</p> <p>1 A Okay.</p> <p>2 Q And let's choose a third item here</p> <p>3 that -- let's choose a third item that is different</p> <p>4 than the one that's in the basket. The one in the</p> <p>5 basket is a spinal needle, right?</p> <p>6 A Yes. Here is a Cook biopsy needle.</p> <p>7 Q Okay.</p> <p>8 A And we buy it direct from Cook.</p> <p>9 Q Okay. Let's add that one.</p> <p>10 A Okay.</p> <p>11 Q All right. Let's checkout now.</p> <p>12 A Okay.</p> <p>13 Q All right. So the requisition has been</p> <p>14 processed, and it's automatically generating a</p> <p>15 purchase order?</p> <p>16 A Correct.</p> <p>17 Q Okay. Now let's go to the purchase order</p> <p>18 module.</p> <p>19 A The PO 100?</p> <p>20 Q The PO 100, right, and let's create the</p> <p>21 purchase order for the requisition we just did.</p> <p>22 So you're walking through the same steps</p> <p>23 that you had done before?</p> <p>24 A Yes.</p> <p>25 Q All right. Now are you -- we're in the</p> |
| <p>118</p> <p>1 A Yes.</p> <p>2 Q All right. Let's add that to the</p> <p>3 shopping cart. And now let's go back to the search</p> <p>4 result page, and search by the needle category again,</p> <p>5 and let's select a different item that has -- select</p> <p>6 an item with a different manufacturer.</p> <p>7 A Okay. BD. We get it through Seneca.</p> <p>8 Q Okay. So let's add this.</p> <p>9 A Okay.</p> <p>10 Q This is another item that was -- and</p> <p>11 let's delete that mop item.</p> <p>12 So now you have in your cart two items</p> <p>13 that we found through searching through the needle</p> <p>14 category, and they are from different vendors,</p> <p>15 correct?</p> <p>16 A Yes.</p> <p>17 Q Okay. The first one we selected was</p> <p>18 the -- was it the --</p> <p>19 A The biopsy needle.</p> <p>20 Q The biopsy needle?</p> <p>21 A Uh-huh.</p> <p>22 Q Let's delete that one.</p> <p>23 A Okay.</p> <p>24 Q Let's go back and do one more search</p> <p>25 again for needles.</p> | <p>120</p> <p>1 print manager now to view the purchase order you just</p> <p>2 made?</p> <p>3 A Yes.</p> <p>4 Q And so we're double clicking on that to</p> <p>5 view the job, to view the purchase order? I mean,</p> <p>6 can we view the purchase order now?</p> <p>7 A Yes. We should be able to, but for some</p> <p>8 reason, it's not pulling up. Hang on. Let me see.</p> <p>9 Q Maybe it was the file underneath that</p> <p>10 one. There it is. So let's take a look at the</p> <p>11 purchase order here.</p> <p>12 A Okay.</p> <p>13 Q The first is the -- the first is the</p> <p>14 biopsy needle --</p> <p>15 A Correct.</p> <p>16 Q -- that we searched for by using the</p> <p>17 needle category, and we did a requisition and this</p> <p>18 has -- do you recall who -- Cook is the vendor here?</p> <p>19 A Yes, and it's who we ordered from as</p> <p>20 well.</p> <p>21 Q Okay. Now let's look at the second. The</p> <p>22 second is a spinal needle that we --</p> <p>23 A Yes. I think it was a Bard or a BD.</p> <p>24 Q Right. Seneca Medical is the vendor?</p> <p>25 A Uh-huh.</p> |

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| <p>121</p> <p>1 Q And this was also done -- located through</p> <p>2 that category search for needle, correct?</p> <p>3 A Yes.</p> <p>4 Q Now, let's actually release these two</p> <p>5 purchase orders?</p> <p>6 A Okay. You go to PO 20.</p> <p>7 Q This is releasing the first item that we</p> <p>8 purchased?</p> <p>9 A And for this particular one, I can look.</p> <p>10 I can tell you. This is not an EDI order. The next</p> <p>11 one will be.</p> <p>12 Q Okay.</p> <p>13 A So I would go ahead and issue final and</p> <p>14 either FAX it or call it in.</p> <p>15 Q For this one?</p> <p>16 A Uh-huh. For this one you would.</p> <p>17 Q And the next one would be release through</p> <p>18 EDI through your GHX, and then they are transmitted</p> <p>19 every two hours during the day?</p> <p>20 A Yes. And then now I have released the</p> <p>21 second one for the spinal needles.</p> <p>22 Q Okay. Now let's just go back to the</p> <p>23 search by category again one more time.</p> <p>24 A Okay.</p> <p>25 Q And once you're there in search catalog.</p> | <p>123</p> <p>1 unique to us. This is our vendor number for Seneca.</p> <p>2 The vendor we get it from is Seneca. Their main</p> <p>3 location where the check would be cut when we pay</p> <p>4 them is in Cincinnati, Ohio. The actual manufacturer</p> <p>5 for this product that we're getting from Seneca is</p> <p>6 BD, and the manufacturer --</p> <p>7 Q Is that Becton, Dickinson?</p> <p>8 A Yes. The manufacturer -- the</p> <p>9 manufacturer number is the 405148.</p> <p>10 Since we purchased this -- we don't buy</p> <p>11 it directly from BD. We get it through Seneca --</p> <p>12 this is actually the number we use for ordering.</p> <p>13 This is our vendor item number, and that's the</p> <p>14 625277. That's actually what we call Seneca's add</p> <p>15 code. It's their product number for this BD needle,</p> <p>16 and you can see the source cost -- cost source.</p> <p>17 Excuse me -- is last cost, and that means that this</p> <p>18 particular item is not tied to a contract, and so</p> <p>19 when -- when I requisition this, it's going back to</p> <p>20 the last cost paid, which was \$40 a box, and this</p> <p>21 cost option we make -- we force our requisitioners if</p> <p>22 there is no cost -- and this is only applicable to</p> <p>23 special items that aren't in our Item Master List --</p> <p>24 that you have to put a cost in. They can't submit an</p> <p>25 order without a cost. They have to do their research</p> |
| <p>122</p> <p>1 Let's search again for, you know, the item that we</p> <p>2 just searched for, the needle. Just going to the</p> <p>3 needle.</p> <p>4 A Okay.</p> <p>5 Q Let's select any -- any one of these</p> <p>6 items here. It doesn't matter as long as it is a</p> <p>7 non-stock.</p> <p>8 A That's different spinal needle.</p> <p>9 Q I just want to take a look --</p> <p>10 A Oh, you just want to look at this one.</p> <p>11 Q I just want to look at the item</p> <p>12 description.</p> <p>13 All right. So can you describe to me all</p> <p>14 the fields that are contained in this item</p> <p>15 description?</p> <p>16 A First, of course, is just your quantity,</p> <p>17 and that field can obviously be changed for whatever</p> <p>18 quantity you're wanting to order.</p> <p>19 The -- this is our item number, which is</p> <p>20 the Lawson generated item number you need to -- our</p> <p>21 Item Master List. This is our description of the</p> <p>22 product, the unit of measure, the cost per that unit</p> <p>23 of measure and the dollars in which we pay, which are</p> <p>24 U.S. dollars.</p> <p>25 The source vendor this is our -- this is</p> | <p>124</p> <p>1 to put a cost in.</p> <p>2 That's what each of those fields are for.</p> <p>3 Q Can we go in and display all the items in</p> <p>4 the Item Master.</p> <p>5 A Uh-huh.</p> <p>6 Q Let's do that. If we went to -- back to</p> <p>7 the IC 11.1 module, would that do it?</p> <p>8 A No. It pulls -- well, here is what you</p> <p>9 can do. You can see it this way. I guess -- this</p> <p>10 may not be what you're looking for, but I can show</p> <p>11 you IC 11, and this would give you an idea. I could</p> <p>12 have probably done it from right there, too. We can</p> <p>13 go right here (indicating). This is going to show me</p> <p>14 all the items in my Item Master List.</p> <p>15 Q Okay.</p> <p>16 A Okay. And then I can search from here if</p> <p>17 there's a particular item that I'm wanting to change</p> <p>18 or do something to, and you can see that it just</p> <p>19 keeps going and going.</p> <p>20 Q Does that pull up also the vendors for</p> <p>21 each of those items?</p> <p>22 A It does once I go in here and select an</p> <p>23 item. I have to select it to be able to see more</p> <p>24 information about it.</p> <p>25 Q To see the vendor.</p> |

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| <p>125</p> <p>1 Okay. If we went into PO 13, would that</p> <p>2 give us a vendor list?</p> <p>3 A Once again, you're going to be able to</p> <p>4 pick from the same type of item list.</p> <p>5 Q Select one to see the vendor.</p> <p>6 A Then you select it, and then, when you</p> <p>7 select it, you can see the other information.</p> <p>8 Q Is there any way to see a list of all the</p> <p>9 vendors in the Item Master without selecting</p> <p>10 individually each item?</p> <p>11 A No. I would have to write a report for</p> <p>12 that.</p> <p>13 Q Do you know whether Blount uses something</p> <p>14 called substitute vendor items? It's PO 26.</p> <p>15 A Not that I'm aware of.</p> <p>16 Q Okay. And is there any way that you're</p> <p>17 aware of to search for manufacturer or a vendor in</p> <p>18 the catalog search?</p> <p>19 A No.</p> <p>20 Q No.</p> <p>21 MR. STRAPP: All right. Why don't</p> <p>22 we go off the record.</p> <p>23 THE VIDEOGRAPHER: Going off the</p> <p>24 record.</p> <p>25 The time is 1:38.,</p> | <p>127</p> <p>1 Q Can you go ahead and add that to the</p> <p>2 shopping cart.</p> <p>3 A Do you want me to delete the other one?</p> <p>4 Q Please. And can you go back to the list</p> <p>5 of catheters and add -- or look for item 4161. It</p> <p>6 looks like it's at the bottom of the screen. Right</p> <p>7 now go ahead and add that to the cart also.</p> <p>8 Looking at the description of item 4161,</p> <p>9 do you know what a 12 French male tip catheter is?</p> <p>10 A No.</p> <p>11 Q And looking at the description of item</p> <p>12 2737, do you know what a catheter Amplatz SF long is?</p> <p>13 A No.</p> <p>14 Q Is there any indication that one of these</p> <p>15 catheters could be used in place of the other?</p> <p>16 A No.</p> <p>17 Q Is there any indication that these</p> <p>18 catheters even perform the same function?</p> <p>19 A No.</p> <p>20 Q You can go ahead and erase those two.</p> <p>21 A Okay.</p> <p>22 Q Can you do a search now for glove. Glove</p> <p>23 is one of your purchasing categories; is that</p> <p>24 correct?</p> <p>25 A Yes.</p> |
| <p>126</p> <p>1 (Brief pause.)</p> <p>2 BY MR. STRAPP:</p> <p>3 Q Are you aware of the master terms and</p> <p>4 conditions -- are you aware of master terms and</p> <p>5 conditions that are part of the licensing agreement?</p> <p>6 A No.</p> <p>7 Q Do you know about whether there are any</p> <p>8 restrictions or controls placed on how Blount can use</p> <p>9 or modify the Lawson Software that it's licensed?</p> <p>10 A Not that I'm aware of.</p> <p>11 MR. STRAPP: I don't have any</p> <p>12 further questions at this time.</p> <p>13 MR. GRAHAM: I have a few</p> <p>14 questions.</p> <p>15 EXAMINATION</p> <p>16 BY MR. GRAHAM:</p> <p>17 Q Can you bring up RSS. We'll start with</p> <p>18 questions about the demo. We're going to go through</p> <p>19 and look at a lot of the same items Mr. Strapp had</p> <p>20 asked you about.</p> <p>21 Can we start with doing a search for</p> <p>22 catheter. Can you look for item number 2737. I</p> <p>23 think it's the second one.</p> <p>24 A I'm sorry. This mouse is not</p> <p>25 cooperating.</p> | <p>128</p> <p>1 Q Can you look for item 2215.</p> <p>2 A Here it is.</p> <p>3 Q And can you go ahead and add that to the</p> <p>4 shopping cart.</p> <p>5 A Yes.</p> <p>6 Q Go back to the list and search for the</p> <p>7 item 976855. I believe it was on the next page.</p> <p>8 It's the last one there.</p> <p>9 A Do you want me to add this one?</p> <p>10 Q Yes, please.</p> <p>11 A Okay.</p> <p>12 Q Can you click on the item description of</p> <p>13 item 2215. I want to make sure we have the same</p> <p>14 description or the right item.</p> <p>15 A Let me go back.</p> <p>16 Q I'm looking for -- that is the biogel</p> <p>17 glove. Mr. Strapp had some questions regarding the</p> <p>18 quality of these gloves and whether or not they are</p> <p>19 both used in surgery.</p> <p>20 Do you know if -- for instance, if item</p> <p>21 2215 was unavailable, if you could order 976855 in</p> <p>22 its place?</p> <p>23 A I would not because these are physician</p> <p>24 preference items, and it would be up to the</p> <p>25 physician. No.</p> |

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| <p>129</p> <p>1 Q Thank you. You can go ahead and erase</p> <p>2 those two.</p> <p>3 Can you go back to the -- just the list</p> <p>4 of items under -- search for glove. And just</p> <p>5 scrolling down this list if you look at item 2721.</p> <p>6 A Yes.</p> <p>7 Q This is a glove that costs roughly \$3.38</p> <p>8 for a box. Do you know what a Positive Touch small</p> <p>9 glove is?</p> <p>10 A No.</p> <p>11 Q Can you go back one. And then can you</p> <p>12 look at item 10048. And this is a glove that costs</p> <p>13 about \$130 for a carton; is that correct?</p> <p>14 A A case.</p> <p>15 Q A case?</p> <p>16 A Uh-huh.</p> <p>17 Q And do you know what a glove -- Ansell</p> <p>18 Micro Touch Nitrile glove is?</p> <p>19 A It's used in the OR.</p> <p>20 Q Generally how many different types of</p> <p>21 gloves, if you know, are used in a hospital?</p> <p>22 A A lot.</p> <p>23 Q Do they vary in types?</p> <p>24 A Yes.</p> <p>25 Q And they vary in uses?</p> | <p>131</p> <p>1 Q But it's a different size?</p> <p>2 A Yes.</p> <p>3 Q Could you use a 10 centimeter -- or do</p> <p>4 you know if you could use a 10 centimeter needle for</p> <p>5 a 15 centimeter needle?</p> <p>6 A I'm not a clinician, but I'm thinking --</p> <p>7 I would say no.</p> <p>8 Q And do you have a rough estimate of how</p> <p>9 many different types of needles are used at Blount</p> <p>10 Memorial?</p> <p>11 A There's probably 2 or 300 in here at</p> <p>12 least, but that's just me guessing.</p> <p>13 Q And to the best of your knowledge, they</p> <p>14 are all used for different functions?</p> <p>15 A Yes.</p> <p>16 Q And they have different sizes?</p> <p>17 A Yes.</p> <p>18 Q And yet they all fall under the same</p> <p>19 purchase category?</p> <p>20 A Yes.</p> <p>21 Q Thank you. That's everything I have on</p> <p>22 the demo.</p> <p>23 I just have a few more questions on some</p> <p>24 of the documents that we looked at earlier today.</p> <p>25 Can you take a look at Exhibit No. 15.</p> |
| <p>130</p> <p>1 A Yes.</p> <p>2 Q But they all fall under the glove product</p> <p>3 category, purchase category?</p> <p>4 A Yes.</p> <p>5 Q Thank you.</p> <p>6 Can you now do a search for needle. And</p> <p>7 needle is another Blount purchase order category?</p> <p>8 A Yes.</p> <p>9 Q Can you add item number 2108, and can you</p> <p>10 go back to the list. And please add item 2170. Item</p> <p>11 2170 says needle spine 25 gauge, and item number 2108</p> <p>12 says needle biopsy 20 by 1310 centimeters. Would</p> <p>13 this indicate to you that these needles are used for</p> <p>14 different purposes.</p> <p>15 A Absolutely.</p> <p>16 Q And could you use a biopsy needle for a</p> <p>17 spinal needle?</p> <p>18 A No.</p> <p>19 Q Can you erase the spinal needle for me.</p> <p>20 And can you go back to the needle list, and can you</p> <p>21 add item number 2743. Item number 2743 the</p> <p>22 description is needle biopsy 1815 centimeters.</p> <p>23 A Yes.</p> <p>24 Q So this is another biopsy needle?</p> <p>25 A Correct.</p> | <p>132</p> <p>1 It was the Lawson process diagrams.</p> <p>2 A Yes.</p> <p>3 Q Let me know when you're --</p> <p>4 A I have it.</p> <p>5 Q Please look at the page with the Bates</p> <p>6 Number B3021, the back of the first page. I just</p> <p>7 want to take a look at this diagram for a second.</p> <p>8 You testified that a Lawson consultant</p> <p>9 was the person who uploaded the Item Master?</p> <p>10 A In the beginning, yes. Items have been</p> <p>11 added since, but during implementation, yes.</p> <p>12 Q Prior to the go-live?</p> <p>13 A Yes.</p> <p>14 Q And since the go-live, Blount employees</p> <p>15 have added a couple?</p> <p>16 A Yes.</p> <p>17 Q Looking at this list, looking in the</p> <p>18 third column under vendor item, is there a table with</p> <p>19 all the vendor item information as opposed to the</p> <p>20 Item Master?</p> <p>21 A Not that I'm aware of. You can run</p> <p>22 reports, but you have to build them. There's -- I</p> <p>23 don't know of one place you can go to that would have</p> <p>24 that.</p> <p>25 Q How do you build one?</p> |

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| <p>133</p> <p>1 A How do I build an item?</p> <p>2 Q Yes. A vendor item.</p> <p>3 A You go and you have to fill out -- when</p> <p>4 we went through the screen shots of IC 11, you start</p> <p>5 there. You add the item. Then once it's built</p> <p>6 there, you go to IC 12, and then you build another</p> <p>7 piece of the item there, and then the final piece is</p> <p>8 PO 13, and each of those screens has different</p> <p>9 sections where you load information about the item.</p> <p>10 Q Who built the vendor items before the</p> <p>11 go-live?</p> <p>12 A We built them in a spreadsheet ourselves,</p> <p>13 and then we gave the spreadsheet to Katrina, our</p> <p>14 consultant, who loaded them in Lawson.</p> <p>15 Q Okay. Thank you.</p> <p>16 You mentioned that you do not license</p> <p>17 Punchout; is that correct?</p> <p>18 A Yes.</p> <p>19 Q Were you offered Punchout?</p> <p>20 A Yes.</p> <p>21 Q And why didn't you license Punchout?</p> <p>22 A Because we tried to control costs, and I</p> <p>23 think that opens requisitioners to be able to go out</p> <p>24 and look at items that we may not have under contract</p> <p>25 price that we may not have the -- the MDS sheets on,</p> | <p>135</p> <p>1 spent with the vendor.</p> <p>2 So if -- for example, if Bard had a</p> <p>3 needle, we would set the Bard item up, and Bard would</p> <p>4 be the primary needle. If BD had a comparable</p> <p>5 needle, we would set the BD item up as a separate --</p> <p>6 I wouldn't set the primary vendor up as Bard as the</p> <p>7 dictum and secondary BD. I like to keep that</p> <p>8 separate, but that's for my tracking and cost</p> <p>9 analysis.</p> <p>10 Q Has Blount set up the Lawson system to</p> <p>11 comparison shop for price for similar items?</p> <p>12 A No.</p> <p>13 Q Why hasn't it?</p> <p>14 A Well, we tend to -- we're part of a group</p> <p>15 purchasing organization and we -- we go off their</p> <p>16 contracts, and we want our volumes for similar items</p> <p>17 to go to one vendor so that we get better pricing on</p> <p>18 all of those items.</p> <p>19 MR. GRAHAM: That's all the</p> <p>20 questions I have. Thank you.</p> <p>21 MR. STRAPP: I just have a couple</p> <p>22 more questions.</p> <p>23 EXAMINATION</p> <p>24 BY MR. STRAPP:</p> <p>25 Q You were just asked by Mr. Graham about</p> |
| <p>134</p> <p>1 various reasons. We like to control the products</p> <p>2 that are being brought in from a safety standpoint as</p> <p>3 well as a cost standpoint.</p> <p>4 Q I believe you said earlier you didn't</p> <p>5 want them to have access to vendor catalogs?</p> <p>6 A Absolutely.</p> <p>7 Q So the system as it stands now does not</p> <p>8 give users access to the catalog?</p> <p>9 A No.</p> <p>10 MR. STRAPP: Objection. Calls for</p> <p>11 a legal interpretation.</p> <p>12 BY MR. GRAHAM:</p> <p>13 Q You also stated earlier that you're aware</p> <p>14 that the Lawson system allows an item in the Item</p> <p>15 Master to be associated with a primary vendor and a</p> <p>16 secondary vendor; is that correct?</p> <p>17 A Yes.</p> <p>18 Q And do you have any item set up to do</p> <p>19 that?</p> <p>20 A Not that I'm aware of.</p> <p>21 Q And do you know why Blount has chosen not</p> <p>22 to set that up?</p> <p>23 A We just don't have a situation where that</p> <p>24 is the case. If -- you know, we track usage and</p> <p>25 usage of a particular vendor and the dollar amount</p> | <p>136</p> <p>1 vendor catalogs. Do you recall that in the context</p> <p>2 of procurement Punchout?</p> <p>3 A Yes.</p> <p>4 Q Vendor chat log information would include</p> <p>5 information about products that the vendor has in</p> <p>6 stock, correct?</p> <p>7 A Yes.</p> <p>8 Q And the vendor catalog information is</p> <p>9 included in the Item Master to the extent that you</p> <p>10 carry items from a particular vendor, correct?</p> <p>11 A It might not be all of their catalog,</p> <p>12 but, yes, the pieces that we use, yes.</p> <p>13 MR. STRAPP: Thank you. I have no</p> <p>14 further questions.</p> <p>15 MR. GRAHAM: No further questions.</p> <p>16 THE VIDEOGRAPHER: That's the end</p> <p>17 of videotape deposition.</p> <p>18 MR. STRAPP: Hold on one second.</p> <p>19 Before we go off the record, I want to</p> <p>20 mention that there's a protective order</p> <p>21 that's been entered by the court, that</p> <p>22 the documents produced by Blount as well</p> <p>23 as whatever portion of this deposition</p> <p>24 transcript and the video that Blount</p> <p>25 chooses to designate will be designated</p> |

Oliver, Kristy [Blount) - video depo & demo 3/11/2010 9:31:00 AM

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| <p>137</p> <p>1 as confidential under the protective</p> <p>2 order.</p> <p>3 MR. MCDONALD: We would designate</p> <p>4 it all under the protective order.</p> <p>5 MR. STRAPP: Do you want to --</p> <p>6 THE VIDEOGRAPHER: That's the end</p> <p>7 of the videotape deposition.</p> <p>8 MR. MCDONALD: Do you want to look</p> <p>9 at this before it's typed, or are you</p> <p>10 comfortable with where you are?</p> <p>11 THE WITNESS: I'm comfortable with</p> <p>12 it if you're okay with it, Mr. McDonald.</p> <p>13 MR. MCDONALD: There's only one</p> <p>14 issue -- see, I can't talk to you and</p> <p>15 that may be some confusion on my part,</p> <p>16 but there was one exhibit --</p> <p>17 MR. STRAPP: Do you want to stay on</p> <p>18 the record?</p> <p>19 MR. MCDONALD: We probably want to</p> <p>20 go off.</p> <p>21 THE VIDEOGRAPHER: This is the end</p> <p>22 of videotape number two.</p> <p>23 The time is 2:02.,</p> <p>24 (Brief pause.)</p> <p>25 THE VIDEOGRAPHER: We're back on</p> | <p>139</p> <p>1 MR. STRAPP: Thank you. I have no</p> <p>2 further questions.</p> <p>3 MR. GRAHAM: No further questions.</p> <p>4 THE VIDEOGRAPHER: That's the end</p> <p>5 of videotape number two.</p> <p>6 The time is 2:09.,</p> <p>7</p> <p>8 (Thereupon, the deposition was</p> <p>9 concluded at approximately 3:05,</p> <p>10 p.m.)</p> <p>11</p> <p>12 * * *</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> |
| <p>138</p> <p>1 the record.</p> <p>2 The time is 2:08.,</p> <p>3 BY MR. STRAPP:</p> <p>4 Q Ms. Oliver, can you please look at</p> <p>5 Deposition Exhibit 8 for one moment and turn to the</p> <p>6 final page of the document. It's Bates Stamped B879.</p> <p>7 A 8 you said?</p> <p>8 Q Yes, Exhibit 8. Do you recall testifying</p> <p>9 earlier today that Ms. Rice, the consultant from</p> <p>10 Lawson, had uploaded to the Item Master a few</p> <p>11 contracts from vendors? Yes?</p> <p>12 A Yes.</p> <p>13 Q And do you see in this e-mail here that</p> <p>14 Ms. Rice writes to you dated November 20th that she</p> <p>15 mentions that she has been given approximately 110</p> <p>16 contracts to load?</p> <p>17 A I either made a mistake or maybe she</p> <p>18 didn't get them loaded. To be honest, I'm just not</p> <p>19 sure. I didn't think we had that many loaded in the</p> <p>20 system, but I could be wrong, and I may have just</p> <p>21 made an error.</p> <p>22 I didn't think we got that many done</p> <p>23 before the go-live because it was kind of towards the</p> <p>24 end of the process, and so that might have just been</p> <p>25 my error.</p> | <p>140</p> <p>1 DISCLOSURE</p> <p>2</p> <p>3 STATE OF GEORGIA) DEPOSITION OF:</p> <p>4</p> <p>5 FULTON COUNTY) KRISTY OLIVER</p> <p>6</p> <p>7 Pursuant to Article 8.B of the Rules and</p> <p>8 Regulations of the Board of Court Reporting of the</p> <p>9 Judicial Council of Georgia, I make the following</p> <p>10 disclosure:</p> <p>11</p> <p>12 I am a Georgia Certified Court Reporter. I am</p> <p>13 here as a representative of Huseby, Incorporated.</p> <p>14 Huseby, Incorporated was contacted by the</p> <p>15 offices of Goodwin Procter to provide court reporting</p> <p>16 services for this deposition. Huseby, Incorporated</p> <p>17 will not be taking this deposition under any contract</p> <p>18 that is prohibited by O.C.G.A. 15-14-37 (a) and (b).</p> <p>19 Huseby, Incorporated has no contract or</p> <p>20 agreement to provide court reporting services with</p> <p>21 any party to the case, or any reporter or reporting</p> <p>22 agency from whom a referral might have been made to</p> <p>23 cover the deposition.</p> <p>24 Huseby, Incorporated will charge its usual and</p> <p>25 customary rates to all parties in the case, and a</p> <p>financial discount will not be given to any party in</p> <p>this litigation.</p> <p>_____ Tanya L. Verhoven-Page, Certified Court Reporter, B-1790.</p> |

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| 1 | CERTIFICATE | 141 |
| 2 | | |
| 3 | STATE OF GEORGIA: | |
| 4 | FULTON COUNTY: | |
| 5 | | |
| 6 | I hereby certify that the foregoing | |
| 7 | deposition was reported, as stated in the | |
| 8 | caption, and the questions and answers | |
| 9 | thereto were reduced to written page | |
| 10 | under my direction, that the preceding | |
| 11 | pages represent a true and correct | |
| 12 | transcript of the evidence given by said | |
| 13 | witness. | |
| 14 | I further certify that I am not of | |
| 15 | kin or counsel to the parties in the | |
| 16 | case, am not in the regular employ of | |
| 17 | counsel for any of said parties, nor am I | |
| 18 | in any way financially interested in the | |
| 19 | result of said case. | |
| 20 | Dated this 26th day of March, 2010. | |
| 21 | | |
| 22 | | |
| 23 | Tanya L. Verhoven-Page, | |
| 24 | Certified Court Reporter, | |
| 25 | B-1790. | |

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of August, 2010, I will electronically file the foregoing

**PLAINTIFF EPLUS'S OBJECTIONS TO DEFENDANT'S DEPOSITION
DESIGNATIONS AND SUMMARY OF THE DEPOSITION OF KRISTY OLIVER AND
COUNTER-DESIGNATIONS**

with the Clerk of Court using the CM/ECF system which will then send a notification of such filing (NEF) via email to the following:

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